

**HEALTHCARE INDUSTRY INTRIGUED BY DIAGNOSTIC POTENTIAL OF ARTIFICIAL INTELLIGENCE.** The Wall Street Journal (9/12, Parmar, Subscription Publication, 6.45M) reports that deep-learning artificial intelligence has the potential to greatly increase the accuracy of medical diagnoses, and many companies throughout the healthcare industry are attempting to develop the technology.

**Researchers Working On Various Ways To Improve Diagnoses.** In a separate article, the Wall Street Journal (9/12, Landro, Subscription Publication, 6.45M) details several of the most encouraging ways researchers are attempting to minimize misdiagnoses, including establishing computerized tracking systems and large-scale information sharing networks.

**BREXANOLONE FAILS TO MEET MAIN GOAL IN TRIAL FOR PATIENTS WITH SUPER-REFRACTORY STATUS EPILEPTICUS.** Reuters (9/12, Grover) reports that Sage Therapeutics' brexanolone "failed to meet the main goal of a key trial" in "patients with super-refractory status epilepticus (SRSE) whose seizures persisted despite earlier treatments." According to Reuters, the failure raises "concerns about the future of the study."

STAT (9/12, Feuerstein, 43K) reports that the drug failed to cause a statistically significant benefit over the placebo. Sage "continues to study brexanolone in other neuropsychiatric diseases, including a phase 3 clinical trial of women with severe postpartum depression." Results from that study "are expected later this year."

Fierce Biotech (9/12, Adams) reports that brexanolone "essentially matching a dummy treatment (43.9% vs 42.4%;  $p=0.8775$ ) when added to standard-of-care."

Additional coverage is provided by Forbes (9/12, Herper, 5.11M) and the Boston Business Journal (9/12, Seiffert, Subscription Publication, 896K).

**23ANDME USING CUSTOMER'S DNA DATA TO DEVELOP NEW DRUGS.** CNN Money (9/12, O'Brien, 3.59M) reports that genetic testing startup 23andMe is leveraging consumer data "for disease research and developing drug therapies." The company "is currently running research programs dedicated to a range of areas, like oncology, skin, and cardiovascular disease" and is using the data "to help academic and pharmaceutical partners develop new therapies for diseases like Parkinson's, irritable bowel syndrome, and lupus."

**MAJOR HEALTHCARE COMPANIES INVEST IN "ELECTROCEUTICALS" STARTUP.** STAT (9/12, Piller, 43K) reports that "electoceuticals" startup SetPoint Medical raised \$30 million in another round of investment, with major companies like Medtronic, Boston Scientific, and GlaxoSmithKline investing. The field of "electoceuticals" is premised on the idea that "narrowly targeted electrical pulses could — in theory — prove a benign way to treat an array of conditions from asthma to arthritis to incontinence, without the need for prescription drugs." The article mentions that the National Institutes of Health "has poured tens of millions into studying the concept." However, electroceuticals remains a "nascent industry," with companies like SetPoint "still in the early days of trying to turn an intriguing concept into a proven medical product."

**CALIFORNIA STATE ASSEMBLY OVERWHELMINGLY PASSES DRUG PRICING TRANSPARENCY BILL.** STAT (9/12, Silverman, 43K) reports that California's state Assembly "overwhelmingly passed" a bill that would require drugmakers "to report and justify price hikes." The bill "has been vociferously fought by the pharmaceutical industry" and "could become one of the most comprehensive state efforts to address pricing transparency."

**PROSTATE CANCER EXPERTS OFFER TIPS ON SCREENING, TREATING PROSTATE CANCER.** The Wilmington (DE) News Journal (9/12, Newman, 424K) features tips from prostate cancer experts concerning what "men need to know about the disease," in honor of Prostate Cancer Awareness Month. The News Journal reports that the US Preventative Services Task



Force did not make a final recommendation concerning best screening methods for prostate cancer; however, in April they did recommend men between ages 55 and 69 “talk to their doctors about the benefits and harms of [prostate-specific antigen] screening.” Experts also warn that prostate cancer symptoms typically do not emerge until the disease reaches an advanced stage, making early detection even more important; for treatment, both chemotherapy and hormonal therapies are options.

**SCIENTISTS CRITICIZE STUDY DISPUTING ANONYMITY OF GENOME RESEARCH.** The San Diego Union-Tribune (9/12, Fikes, 668K) reports a study finding that the identity of people who donated genomes for genomic research could be deduced is generating blow-back from genomic researchers who “anonymize genomes and follow health privacy laws,” and insist genomic information cannot be tied to their individual. According to geneticist Mark Shriver, “I don’t think this paper raises those risks, because they haven’t demonstrated any ability to individuate this person from DNA.”

**MICROSCOPIC PARTICLES FROM TATTOO INK CAN GET INTO LYMPH NODES, STUDY SUGGESTS.** AFP (9/12) reports that research suggests “microscopic particles from tattoo ink can migrate into the body and wind up in lymph nodes.” These “tiny particles...include molecules from preservatives and contaminants such as nickel, chromium, manganese and cobalt.” The findings (9/12, 177K) were published in *Scientific Reports*.

**AT LEAST 12 PEDIATRIC HEART PATIENTS AT NEW ORLEANS HOSPITAL HAVE INFECTED INCISIONS, POSSIBLY FROM CONTAMINATED EQUIPMENT.** The AP (9/12, McConnaughey) reports that at least 12 kids who underwent “heart surgery at Children’s Hospital in New Orleans during the summer have infected incisions, apparently from contaminated equipment.” The FDA “reported last October that a certain model of bypass machines’ heater-cooler units had been linked to infections with a related germ, *Mycobacterium chimaera*.” The same “model was used at Children’s Hospital.”

CBS News (9/12, 4.42M) reports that the hospital “sent out 55 letters to patients who potentially could have been infected.”

**FORBES CONTRIBUTOR DISCUSSES STUDY FINDING GENERIC CHEMO WILL NOT HELP BRING DOWN HIGH COST OF DRUGS.** Forbes (9/12, 5.11M) contributor Arlene Weintraub writes that “the drop in capecitabine’s price isn’t enough to support the notion that encouraging generic competition will help bring down the high cost of drugs...argue” the authors of a study published in *JAMA Internal Medicine*. Weintraub continues, “If ‘similar modest price decreases are observed for other orally administered anticancer drugs following generic entry, generic competition alone may not be sufficient to curb oncology spending,’ they conclude in the paper.”

**EXCESS BELLY FAT MAY INCREASE RISK OF SOME CANCERS IN OLDER WOMEN, STUDY SUGGESTS.** The Atlanta Journal-Constitution (9/12, 1.16M) reports that research suggests women with an “apple-shape” may be linked to a higher risk of certain cancers.

HealthDay (9/12, Preidt, 11K) reports that investigators “followed nearly 5,900 Danish postmenopausal women for up to 12 years and found that abdominal fat was a bigger factor than body weight when it came to the risk of lung and gastrointestinal cancers.” The research was presented at a European Society for Medical Oncology meeting.

**HIV CONTINUES TO AFFECT MANY, PROMPTING CALLS FOR FURTHER TESTING, TREATMENT.** The Huffington Post (9/12, Almendrala, 5.74M) reports that while antiretroviral therapy has made HIV a manageable condition for many patients, the disease has still claimed many lives, with 6,721 Americans dying from HIV-related causes and 12,333 Americans with HIV dying of any cause in 2014. Although treatment is available, many people do not seek it out because they are unaware of funding assistance, or they do not know they have HIV. The article profiles CDC data showing US populations with the highest rates of HIV, and offers



recommendations on preventing further diagnoses and deaths.

#### **HARVARD STUDENTS WARNED ABOUT HAND, FOOT, AND MOUTH DISEASE**

**OUTBREAK.** The Boston Globe (9/12, Meyers, 969K) reports Harvard University administrators have issued warnings to students about a recent outbreak of hand, foot, and mouth disease. A university spokesman said cases have been isolated to certain on-campus residences, “although he did not name the specific residences affected.”

**OPINION: TRAINING NURSES’ AIDES COULD REDUCE HOME HEALTHCARE COSTS.** Paul Osterman, author and professor at the MIT Sloan School of Management, writes in an op-ed in the Wall Street Journal (9/12, Subscription Publication, 6.45M) about the high costs of home healthcare services, which stem in part from requiring registered nurses to perform tasks such as administering eyedrops. Some healthcare experts have suggested home health aides could present a remedy for the rising costs, saying that with additional training, they could take on more tasks now performed by nurses.

#### **HOSPITALS USING ALERT SYSTEMS TO CUT BACK ON UNNECESSARY CARE**

**PROCEDURES.** The Wall Street Journal (9/12, Evans, Subscription Publication, 6.45M) reports hospitals are turning increasingly to digital alert systems that require physicians to reconsider treatment options in an effort to reduce instances of unnecessary care procedures. A 2014 study in JAMA Internal Medicine found costs for such procedures total \$1.8 billion each year. The American College of Cardiology has recommended a system to prevent physicians from performing unnecessary cardiac imaging tests, suggesting they do not perform them on new patients unless the patients present other issues that put them at risk.

**GENETIC TESTING FOR PARENTS, EMBRYOS RISING AS PRICES FALL.** The Wall Street Journal (9/12, Wallace, Subscription Publication, 6.45M) reports on the increasing prevalence of genetic testing in parents and embryos as costs for testing have fallen. Nearly half-a-dozen companies are offering testing for much less than the nearly \$5,000 screenings offered about a decade ago. Tests also have increased in accuracy, helping lead more parents to seek them as a form of family planning.

**MEDICAL PROFESSIONALS SEE INNOVATION IN 3-D PRINTING FOR HEALTHCARE.** The Wall Street Journal (9/12, McConnon, Subscription Publication, 6.45M) reports medical professionals are turning to 3-D printing for treatment research and development as well as surgery planning and medication creation. Research institutions such as the Mayo Clinic are relying on 3-D printing as manufacturers develop healthcare-specific technology to support medical researchers’ needs.

**MANY MOISTURIZERS MARKETING AS “HYPOALLERGENIC” MAY CONTAIN CHEMICAL IRRITANTS, STUDY FINDS.** Reuters (9/12, Rapaport) reports a study published in JAMA Dermatology found that many skin moisturizers touted as being able to remedy issues such as eczema and that are labeled as being “hypoallergenic” or “fragrance-free” may contain chemical irritants. Researchers surveyed Amazon, Target, and Walmart for their top 100 best-selling body moisturizers sold online, finding that during an assessment of the products’ ability to moisturize skin, whether they cause allergic reactions, and how much they cost, only 12 percent “of the 174 individual products tested were free of allergens.”

**HOSPITALS IMPLEMENTING STRATEGIES TO REDUCE ER WAIT TIMES.** The Wall Street Journal (9/12, Kincaid, Subscription Publication, 6.45M) reports on efforts by hospitals to reduce emergency room wait times, saying many are reworking or eliminating triage, slimming management processes by cutting down on waste time, addressing minor patient issues quickly, and scheduling elective surgeries more evenly.

#### **TELEMEDICINE HERALDED AS MEANS OF HELPING PREGNANT WOMEN FACING**

**HEALTH RISKS.** The Wall Street Journal (9/12, McKay, Subscription Publication, 6.45M) reports



on the expanded use of telemedicine for women with high-risk pregnancies or who may be at risk of such pregnancies. Some medical professionals say telemedicine offers women in rural or isolated areas better access to specialized healthcare. American Congress of Obstetricians and Gynecologists president Haywood Brown said the expansion of telemedicine for prenatal care and labor and delivery is a priority for the organization, adding that it leads to improved care quality and reductions to healthcare costs. The organization has formed a task force to establish standards for telemedicine use.

**LABOR WARD CULTURE MAY IMPACT RATE OF C-SECTIONS, RESEARCHERS SAY.** The Wall Street Journal (9/12, Marcus, Subscription Publication, 6.45M) reports researchers are working to reduce the number of Cesarean section deliveries by targeting the labor ward culture. One recent study suggested that hospitals with management that often proactively worked to lessen the difficulty of challenges before they arise had higher rates of C-sections.

**PREGNANT WOMEN EXPOSED TO PESTICIDES MAY HAVE HIGHER RISK OF DELIVERING PRETERM BABIES, STUDY FINDS.** Reuters (9/12, Cohen) reports a study published in the journal *Nature Communications* found that pregnant women exposed to the highest number of agricultural pesticides in California's San Joaquin Valley had a higher risk of giving birth prematurely and delivering babies with low birth weights. Mothers who lived closest to areas with the highest percentage of pesticides "had an 11 percent increased probability of preterm delivery and a 20 percent increased probability of having a low birth-weight baby." Researchers found "women exposed to the top 25 percent of pesticide loads in the San Joaquin Valley had babies with no detectable effect," although "those in the top 5 percent of exposures had increases in the range of 5 to 9 percent in adverse outcomes."

**FLORIDA ASSISTED LIVING FACILITY HOUSES PATIENTS DURING IRMA DESPITE LACKING ELECTRICITY FOR THREE DAYS.** The Washington Post (9/12, Sullivan, 10.38M) reports on Cape Coral Shores, a Florida assisted care facility that housed 20 patients during Hurricane Irma and lost power for three days "as elderly patients suffered in the rising heat." The facility kept the patients during Irma due to "an agreement with state and local officials because the emergency shelters it would normally use in Fort Lauderdale and Sarasota were both evacuated." The Post reports neighboring homes and businesses regained power days before the facility, which saw its indoor temperature reach "the mid-80s Tuesday morning." Facility CEO Dan Nelson said the utility company did not list Cape Coral Shores as a medical provider, or it would have restored power sooner.

**SHOCKED FLORIDA KEYS RESIDENTS STUNNED BY IRMA'S WRECKAGE.** Reuters (9/13, Sullivan) reports on evacuees who returned to their homes on Wednesday morning to find their homes and workplaces destroyed. The piece discusses the aftermath in the Florida Keys, where some roads are beginning to open up to allow residents to survey the damage caused by Hurricane Irma. The storm destroyed 25 percent of homes and 65 percent suffered damage, according to Federal Emergency Management Agency administrator Brock Long, and 5.8 million Floridians remain without power.

**THERAPEUTIC VACCINES OFFER NEW PROGRESS FOR CANCER TREATMENT.** The Wall Street Journal (9/12, Gormley, Subscription Publication, 6.45M) reports therapeutic vaccines for cancer offer a new type of treatment that addresses cancers by prompting immune cells to attack the disease and do not cause the side effects associated with treatments such as chemotherapy. Much like conventional vaccines, the therapeutic treatments instruct the immune system to target specific dangers, specifically tumor cells bearing the biomarker called antigens. The Journal reports on several companies developing vaccines.

**DEATHS DUE TO CANCER HAVE FALLEN BUT NEW DIAGNOSES EXPECTED TO RISE, STUDY FINDS.** STAT (9/13, Thielking, 43K) reports a study released Wednesday by the American Association for Cancer Research found that the number of cancer deaths in the US has fallen by 25 percent for adults and 35 percent for children since 1991. Despite this, researchers



anticipate cancer to grow in prevalence, with the number of new cancer diagnoses expected to rise from 1.7 million in 2017 to 2.3 million in 2030 due to a large aging population, high rates of obesity, and a large number of people who are not physically active. STAT mentions Congress' recent move to provide the NIH with \$36.2 billion in funding for the next fiscal year.

**HOSPITALS INCREASINGLY ENCOURAGE PATIENTS TO PRACTICE MOBILITY PRIOR TO BEING DISCHARGED.** The Wall Street Journal (9/12, Ward, Subscription Publication, 6.45M) reports many hospitals are encouraging patients to practice mobility prior to being discharged despite facilities' earlier fears of causing falls. Some medical experts say that remaining immobilized for several days can lead to permanent declines in bodily function, making it challenging for patients to return home and resume ordinary activities. Nearly 40 hospitals and health systems, supported by CMS' Center for Medicare and Medicaid Innovation and its Mobility Action Group, have initiated pilot programs to encourage patients to leave their beds and become more mobile.

**SOCIAL MEDIA BECOMES HOTBED OF COMPETITION AMONG PLASTIC SURGEONS WHO MAY OR MAY NOT HAVE LICENSES.** The Wall Street Journal (9/12, Rubin, Subscription Publication, 6.45M) reports plastic surgeons are using social media sites such as Instagram and Snapchat to compete for clients. The shift also has attracted the presence of some plastic surgery practitioners who are not qualified in plastic surgery. According to one study, fewer than 18 percent of the most popular plastic surgery-related Instagram posts came from surgeons licensed by the American Board of Plastic Surgery, and many others were posted by physicians with expertise in other fields who did not have the specialized training to perform the procedure. Health experts commenting on the phenomenon said the trends could leave patients at risk of injuries.

**TEXAS CALLS ON AIR FORCE TO SPRAY INSECTICIDES IN EFFORT TO LIMIT POST-HARVEY MOSQUITO POPULATION.** Reuters (9/12, Kumar) reports Texas is beginning "aerial attacks on mosquitoes" that have covered coastal areas impacted by Hurricane Harvey, prompting state authorities to use USAir Force C-130 cargo planes to spray "insecticides over three eastern Texas counties over the weekend." The effort will expand to other locations throughout the next two weeks, with nearly 1.85 million acres having been treated as of Tuesday, according to officials from the Texas Department of State Health Services. The state has confirmed "441 human cases of West Nile virus and 21 deaths since the start of 2016" and 342 Zika cases during the same period.

**OP-ED: PBMS PLAY ESSENTIAL ROLE IN LOWERING PRESCRIPTION COSTS.** Edmund J. Pezalla, MD, MPH, consultant on payer strategy for pharmaceutical and device manufacturers and scholar-in-residence at the Duke-Margolis Center for Health Policy, writes in an op-ed in The Hill (9/12, 1.68M) that with "so much rancor and finger pointing these days over prescription drug prices," consumers can rely on pharmacy benefit managers (PBMs) to advocate for lower prescription treatment prices. According to Dr. Pezalla, PBMs are in the unique position "to reduce drug costs by negotiating for rebates and discounts from big drug companies and drugstores." Dr. Pezalla says that because PBMs are involved directly in the process of reviewing medical evidence for FDA-approved treatments, assisting in managing treatment side effects, and supporting in creating formularies for patients to "stay on their drug regimens and out of the hospital," they also help reduce medication "costs for patients and the entire health care system."

**OPINION: ELECTRONIC MEDICAL RECORDS CAN ENABLE CLINICAL TRIALS IN PHYSICIANS' OFFICES.** In an op-ed for the Wall Street Journal (9/12, Subscription Publication, 6.45M), Dr. Amy Abernethy, chief medical officer and chief scientific officer at Flatiron Health, and Dr. Sean Khozin, an acting associate director in the FDA's Oncology Center of Excellence and founding director of the agency's Information Exchange and Data Transformation Program, write that electronic medical records are paving the way for modern clinical drug trials using real-time, detailed data collected at the point of care, in physicians offices. The authors write that such trials are not yet common practice due to impediments such as a lack of technical and organizational



infrastructure, which prevent them from meeting the higher standards of conventional trials.

**PHARMACEUTICAL COMPANIES IMPLEMENT OUTCOMES-BASED PRICING DESPITE LACK OF EVIDENCE TO SHOW IT LOWERS COSTS.** The Wall Street Journal (9/12, Loftus, Subscription Publication, 6.45M) reports pharmaceutical companies increasingly are tying part of their reimbursements from insurers to how well treatments perform in patients in an effort to lower costs for consumers. This practice, known as value-based or outcomes-based pricing, is becoming more popular and has attracted the attention of legislators and is even the subject of a White House executive order that would require federal health programs to implement such contracts. Despite this, many companies and insurers say there is a dearth of evidence to suggest the contracts have lowered prescription prices.

**PEOPLE CONTINUE TO BELIEVE VACCINE MYTHS DESPITE BEING PRESENTED FACTS, STUDY FINDS.** The Wall Street Journal (9/12, Dizik, Subscription Publication, 6.45M) reports a study published in the journal PLOS One examining the prevalence of belief in myths about vaccines found that those who believed that certain vaccines have harmful effects on children maintained their beliefs or said their beliefs were stronger after being shown facts correcting the misinformation. Researchers found that many people may continue to believe such statements because they are more familiar with them than they are with new, correct information. While many study participants were unable to remember the source of the information they received or whether it was valid, they recalled parts of what they heard, researchers said.

**OHIO'S HOSPITALS, PHYSICIANS FIGHT BILL THAT WOULD END FLU VACCINE REQUIREMENTS.** The Columbus (OH) Dispatch (9/12, Siegel, 456K) reports that a bill passed out of a House committee in the Ohio legislature that would "empower Ohioans' to refuse a flu vaccine without placing their jobs in jeopardy." Hospitals, physicians, and "essentially all of the state's largest health care associations" are opposed to the bill because they see it as "threatening employers' rights to enforce safety precautions in their workplaces." Supporters, however, argue that employer-mandated flu vaccines are an "egregious violation of personal freedom," and that the shot has a "low rate of effectiveness" and can cause side effects. The Ohio Chapter of the American Academy of Pediatrics says influenza is the leading cause of vaccine-preventable deaths in the nation. The Centers for Medicare and Medicaid Services includes flu vaccines as part of its reporting requirements for quality measures.

**PITT RESEARCHER TO STUDY EFFECTIVENESS OF NEW YORK'S SEPSIS LAW.** The Pittsburgh Tribune-Review (9/12, Venteicher, 236K) reports that a University of Pittsburgh researcher, Dr. Jeremy Kahn, is launching a four-year study of New York state's regulations on sepsis to examine the policy's effectiveness and whether there were any "unintended negative consequences." New York's law requires hospitals to speed up treatment and follow protocols of "taking blood cultures to guide diagnosis and treatment, analyzing lactate levels that can signify septic shock and administering fluids and antibiotics." According to the National Institutes of Health, sepsis "contributes to as many as half of all hospital deaths." The study will also compare New York's clinical outcomes to those in other states, including Pennsylvania, Massachusetts, Washington, and Florida.

**STUDY FINDS CASES OF HOOKWORM IN ALABAMA.** NPR (9/12, Whitehead, 2.4M) reports that a new study published this month has uncovered a community in one of the poorest counties in the US, Lowndes County, Alabama, where 19 of the 55 individuals tested were positive for hookworm. Hookworm remains common in developing nations, but was thought to be eradicated in the US between 1950 and 1980. The parasite is transmitted when an infected person defecates outside and, after the eggs hatch in the soil, the worms can latch on to bare feet and burrow to the small intestine. Dr. David Diemert, a hookworm expert at George Washington University, said, "I was very surprised by this. ... There has not been any documentation of people being infected in the U.S. for the past couples of decades; we thought there was no more local transmission in the U.S."



**LONELINESS CAN BE HAZARDOUS TO HEALTH, EXPERTS SAY.** The Wall Street Journal (9/12, Holland, Subscription Publication, 6.45M) reports that medical experts are calling for a public health campaign to address loneliness and social isolation based on research showing they can lead to an early death. The article examines some senior living facilities' programs to address social isolation, including setting up child care services, adopting co-housing where homes are near each other surrounding a common shared space, hotlines, and intergenerational social activities.

**INCREASED USE OF MARIJUANA BY PREGNANT WOMEN SPURS NEVADA CAMPAIGN.** The Las Vegas Review-Journal (9/12, Harasim, 458K) reports that Nevada officials are preparing a public information campaign airing TV and radio ads to address the increasing rates of marijuana use in the state after recreational use was legalized. The ads will highlight the potential harm to the fetus. However, Nevada's chief health officer Dr. John DiMuro says "there is no definitive research about pot's effects on the fetus" because the "[r]esearch is not consistent." Studies have shown, he adds, that the "strongest consensus" is that exposure to the drug could cause developmental delay for elementary school-aged children.

**OPINION: PAYMENT METHODS FOR PHYSICIANS ARE HURTING HEALTHCARE.** Howard Forman, a Yale University professor of radiology, writes in the Wall Street Journal (9/12, 6.45M) that Medicare's reimbursement system causes compensation to be higher for specialists than it is for internists, pediatricians, and family medicine physicians. Forman points to an emphasis on the number of procedures and volume, rather than on prevention and outcomes. He urges government and private payers to continue to move towards reimbursement premised on outcomes, not volume of services.

**SAN DIEGO HEPATITIS A OUTBREAK LEADS TO 16 DEATHS, SHOWS NO SIGNS OF SLOWING.** The San Diego Union-Tribune (9/12, Sisson, 668K) reports that Tuesday's update from the San Diego County Health and Human Services Agency confirms that the hepatitis A outbreak "shows no signs of slowing," as the death toll rose to 16 and the number of confirmed cases increased to 421, up 23 since last week. The county declared a public emergency on September 1 which included an ongoing vaccination campaign and the installation of hand-washing stations for the homeless, "who have been hit hardest by the outbreak." Mayor Kevin Faulconer has a scheduled news conference on Wednesday to discuss a plan to build temporary shelters for hundreds of those living on the streets which will provide beds, showers, restrooms and hand-washing stations.

**UTAH OFFICIALS RELEASE DATA ON RISING SUICIDE TREND AS PART OF WIDER PREVENTION EFFORT.** The Salt Lake (UT) Tribune (9/13, Ramseth, 337K) reports that the Utah Department of Health released numbers showing that Utah's suicide rate so far in 2017 remains "roughly on pace to meet or surpass last year's preliminary one-year record of 638 suicide deaths," placing Utah as the state with the fifth-highest suicide rate in the country. The article adds that health, education, and other experts are "attacking the problem on several fronts," including pushing mental health "first aid" and suicide intervention training, firearm awareness programs, and the release of this data, as well as the state Board of Education's hiring of an "education specialist to work on suicide issues."

**LUBBOCK, TEXAS CONFIRMS ITS FIRST WEST NILE VIRUS CASE OF THE YEAR.** The Houston Chronicle (9/12, Ramirez, 1.97M) reports that city officials in Lubbock, Texas, confirmed the first case of West Nile virus of 2017 in the city. The state now has reported 71 cases. Last year, Texas officials counted 370 human cases and 18 fatalities.

**US HOUSE PASSES BILL CALLING FOR STUDY OF CANCER AMONG FIREFIGHTERS.** The Buffalo (NY) News (9/12, Zremski, 362K) reports that the US House of Representatives unanimously passed the Firefighter Cancer Registry Act on Tuesday, which would authorize \$2 million in funding for a Centers for Disease Control and Prevention registry of firefighters who are diagnosed with cancer. The bill was seen as the first step towards bolstering federal research into



the health effects on firefighters because of their work. Rep. Chris Collins (R-NY) sponsored the bill and referenced the continued loss of 9/11 first responders from “ongoing health effects” of the attacks.

**CALIFORNIA BILL TO CREATE “SAFE INJECTION SITES” FOR DRUG USERS FAILS IN STATE SENATE.** The [Los Angeles Times](#) (9/12, Mason, 4.49M) reports that the California Senate rejected a “controversial proposal to allow certain California counties and cities to establish sites where people could inject drugs without legal consequences” on Tuesday night. The injection centers would permit users of heroin and other intravenous drugs a setting with “clean needles and under the supervision of trained staff” to prevent overdose. Opponents warned that the centers “would enable illegal activity.” The bill came up two votes short and may come up again before the Legislature adjourns later this week.

**TMS TREATMENTS FOR HARD-TO-TREAT DEPRESSION NOW MUCH EASIER TO GET.** The [Boston Globe](#) (9/12, Freyer, 969K) reports that transcranial magnetic stimulation (TMS) treatments for hard-to-treat depression have “become much easier to get.” Now TMS is “covered by Medicare and most health insurers, which will pay roughly \$10,000 or more for a course of” the treatment, “provided three or four medications and psychotherapy have failed.” Consequently, “it’s feasible for private psychiatric practices to purchase the machines and for TMS-only clinics to spring up.” The Globe points out that the Food and Drug Administration “cleared the first TMS device for depression in 2008.”

**SCREENING MOTHERS FOR DEPRESSION DURING EARLY WELL-CHILD VISITS MAY LEAD TO SIGNIFICANTLY FEWER REPORTS OF DEPRESSION AT NINE MONTHS POSTPARTUM, STUDY SAYS.** In continuing coverage, [CNN](#) (9/12, Scutti, 33.59M) reports, “Screening mothers for depression during early well-child visits led to significantly fewer reports of depression at nine months postpartum,” researchers found after studying some 3,000 women in the Netherlands. The study revealed that only “3% of the screened mothers experienced minor or major depression at nine months postpartum, compared with 8.4% of the mothers who weren’t screened during the visits.” The [findings](#) were published online Sept. 12 in *Pediatrics*.

**EXPERTS PUZZLED BY US MALE INFERTILITY CRISIS.** [Newsweek](#) (9/12, Walsh, 991K) reports researchers suspect environmental toxins, “specifically, endocrine-disrupting chemicals found in compounds like bisphenol A (BPA) and phthalates,” can cause reduction in male sperm counts. The production of sperm is “tightly regulated by the body’s hormones, and so any interference with those hormones – say, through exposure to endocrine-disrupting chemicals – could make itself felt first through damage to sperm quantity or quality.” Several Endocrine Society members are quoted in the article, including University of Texas toxicologist Andrea Gore.

## **Global Health:**

**PROGRESS ON GLOBAL POVERTY, DISEASE AT RISK, GATES SAYS.** [Reuters](#) (9/13, Kelland) reports philanthropist Bill Gates warns that proposed US budget cuts threaten “great progress in reducing poverty and disease” and could lead to 5 million more AIDS deaths. The Bill and Melinda Gates Foundation released its global health report on Wednesday, co-authored by Gates and the Institute for Health Metrics and Evaluations at the University of Washington, which analyzed progress against diseases such as malaria, HIV/AIDS, and tuberculosis and tracked rates of poverty, maternal and infant death, access to contraception, sanitation, and other development issues. For example, the report said a 10 percent cut in “global donor funding for HIV treatment” could cost more than 5 million deaths by 2030. President Trump has proposed cutting global health programs by 24 percent, but both Democrats and many Republicans have “blasted his plan.”

**FRANCE PLANS TO LEGALIZE ASSISTED REPRODUCTION FOR LESBIANS NEXT YEAR.** [Reuters](#) (9/12) reports that France intends to legalize access to assisted reproduction for lesbian



couples and single women in 2018. France's minister for gender equality, Marlene Schiappa, called it "a matter of social justice" and "a campaign promise" that "will be honored." Schiappa "said a bill would likely pass through parliament" next year.

**EFFORTS TO CONTAIN NORTHEAST NIGERIA'S CHOLERA OUTBREAK HAMPERED AS REFUGEES UNDERREPORT ILLNESSES.** Reuters (9/12) reports that individuals in northeast Nigeria "are failing to report suspected cases" of cholera to health officials, hindering efforts to contain the outbreak, according to the United Nations. The article says "the number of suspected cholera cases had jumped to 1,626 as of Sept. 11," resulting in 40 deaths so far. Reuters states the rainy season has contributed to the disease's spread "in densely populated [refugee] camps" plagued by "unsanitary conditions."

**HEALTH OFFICIALS CONCERNED ABOUT REEMERGENCE OF SLEEPING SICKNESS IN THE DEMOCRATIC REPUBLIC OF CONGO.** The Huffington Post (9/12, McNeish, 5.74M) reports public health experts are concerned that rates of African trypanosomiasis, commonly known as sleeping sickness, may be on the rise in rural areas of the Democratic Republic of Congo. According to Crispin Lumbala, the DRC's director of the Ministry of Health's National Programme for Sleeping Sickness Control, "The real problem right now is a resurgence of the disease because we don't have a well-supported and effective surveillance program." Part of the issue is a decline in the number of mobile medical units capable of finding and treating sleeping sickness in the country, from 200 such units in the 1960s to only 30 today. Part of the issue is a decline in the number of mobile medical units capable of finding and treating sleeping sickness in the country, from 200 such units for a population of 12 million in the 1960s to only 30 today for a population of 80 million.

**UNITEDHEALTH EXPLORING BID FOR CHILEAN HEALTH INSURER BANMÉDICA.** Forbes (9/12, Japsen, 5.11M) reports UnitedHealth Group is in talks to buy Chile-based insurer and hospital operator Banmédica, which could be part of the insurer's growing interest in global healthcare markets where they can grow their business in emerging markets rather than the mature US market. According to Leerink Partners analyst Ana Gupte, "Banmédica is very similar to [the UnitedHealth-owned] Amil, which is the largest Brazilian insurance company with a strong asset base that encompasses both owned and contracted hospitals, and a leading network of physicians and outpatient clinics. ... While the Brazilian deal with Amil for ~\$5 B has not been without challenges, it offers [UnitedHealth] diversification into a new geography."

## **National News:**

**TRUMP TO TRAVEL TO FLORIDA THURSDAY TO SURVEY HURRICANE DAMAGE.** USA Today (9/12, Jackson, 8.62M) reports the White House announced that President Trump will travel to Florida on Thursday to survey the damage from Hurricane Irma. Press secretary Sarah Huckabee Sanders told reporters, "The president and the entire administration continue to monitor the situation in Puerto Rico, the United States Virgin Islands, Florida, Texas and all areas affected by Hurricanes Irma and Harvey." She also said that "details of the trip – including the exact location – are still being worked out." The Hill (9/12, Fabian, 1.68M), however, reports that the FAA "posted a travel advisory Tuesday that covers Fort Myers, on Florida's west coast," which "typically issued before the president travels to a destination in the US."

Jim Acosta said on CNN's Situation Room (9/12, 959K), "We're hearing through our sources that it appears at this point that [the President] will be in the Ft. Myers area, that part of southwest Florida that was so hard hit. ... This will obviously be another test for the President when he arrives on the ground down there."

NBC Nightly News (9/12, lead story, 3:10, Holt, 16.61M) and the CBS Evening News (9/12, lead story, 2:50, Mason, 11.17M) both briefly mentioned the President's trip in their lead stories, and Reuters (9/12) also reports briefly on the announcement by Sanders. The White House also tells NBC Nightly News (9/12, story 4, 2:40, Holt, 16.61M) that the President "is looking into possibility,



down the line, of making a trip [to the US Virgin Islands], but at a time when it won't imperil those relief efforts." The [New York Post](#) (9/12, Rachman, Fears, 4.31M) reports Virgin Islands Gov. Kenneth Mapp "said late Monday night" that Trump is planning to visit "within the next six or seven days." On its front page, the [Washington Post](#) (9/12, A1, Faiola, 10.38M) likewise reports on Mapp said in a telephone interview that "Trump...called him Monday and was due to survey the Virgin Islands damage this week. He would find, the governor said, an efficient response."

The [Atlanta Journal-Constitution](#) (9/12, Dupree, 1.16M) notes that "this would be the second trip in recent weeks to an area hit hard by a tropical system; Mr. Trump made two trips to the Gulf Coast, stopping in Texas and Louisiana, to get a look at damage and recovery efforts after Hurricane Harvey."

The [New York Post](#) (9/12, Perez, 4.31M) similarly notes that the President, joined by First Lady Melania Trump, made two visits to Texas last month following Hurricane Harvey. "My concern continues for all impacted by the hurricanes," the first lady tweeted Tuesday. "Will fly to #Florida on Thursday w @potus to survey the damages from #HurricaneIrma." [Politico](#) (9/12, Nelson, 3.6M) reports that shortly after Sanders' announcement, Stephanie Grisham, a spokeswoman for Melania Trump, tweeted, "@flotus will travel to #Florida w POTUS on Thurs to survey aftermath of #HurricaneIrma."

**Administration Earns "Bipartisan Praise."** The [Washington Post](#) (9/12, Nakamura, 10.38M) reports that "facing off against a pair of historic storms," the Trump Administration "has earned bipartisan praise for coordinating the federal response with state and local officials, avoiding the type of catastrophe that marked the Bush administration's response to Katrina." While the pair of storms "wreaked widespread destruction that will take years and billions of dollars to recover from," the Post says that "for a Trump administration whose first eight months has been marked by internecine squabbles and a lack of legislative accomplishments, the initial competence in managing the storms represented a relief — and a rare chance to take credit." Overall, "emergency management veterans said, Trump and his team deserve acknowledgment for getting through the first phase of the crisis in a way that inspired public confidence."

Virgin Islands Delegate Stacey Plaskett said on [CNN's Situation Room](#) (9/12, 959K) that Irma "hit us almost direct impact while it was a Category 5. ... So St. Thomas and St. John have been tremendously affected by it. ... But I have to say we've had great support from FEMA, from the Department of Defense. Our governor has been working very closely with the federal government, along with our local emergency management agencies, first to prepare for this and now in the aftermath."

[NBC Nightly News](#) (9/12, story 4, 2:40, Holt, 16.61M) reported that a Coast Guard cutter loaded up with supplies traveled to St. Thomas on Tuesday. Also on board, TSA officers "with the critical goal of getting airport back up and running."

Without mentioning the Trump Administration, the [New York Times](#) (9/12, A1, Fausset, Subscription Publication, 13.56M) reports on its front page that Hurricanes Harvey and Irma "may have revealed a largely unnoticed truth often buried under the news of unfolding tragedy: The United States appears to be improving in the way it responds to hurricanes, at a time when climate scientists say the threats from such storms, fueled by warming oceans, are growing only more dire." The Times says the 9/11 attacks "revolutionized the way American government coordinated disaster response," and Hurricane Katrina "stimulated a new and robust conversation about the power of natural disasters, and, more specifically, forced Americans to rethink the growing threats from floodwater."

**Politico Analysis: Democrats Refrain From Using Storms To Criticize Trump's Climate Policies.** [Politico](#) (9/12, Holden, Schor, 3.6M) reports Hurricanes Harvey and Irma have "handed Democrats their most potent opportunity in half a decade to hammer Republicans on climate change — with the massive storms giving tens of millions of Americans an up-front glimpse of the



types of devastation the world faces if the warming planet spawns a surge in extreme weather. But instead, they're mostly keeping quiet." For now, Democrats "appear to be heeding the warnings of Trump appointees" like EPA Administrator Pruitt, who said last week that it's "very, very insensitive to the people in Florida" to talk about climate change now. Sen. Sheldon Whitehouse (D-RI), "said he doesn't view the immediate aftermath of Harvey and Irma as heightening the sense of urgency to talk about global warming."

**WPost Analysis: Trump's Praise Of Coast Guard Gives Service "Much-Needed" Boost.** The Washington Post (9/12, Horton, 10.38M) reports that on Sunday, President Trump "singled out the Coast Guard for its suddenly high profile amid dueling catastrophic hurricanes, first during Harvey in Texas and now its early work providing assistance in the Florida region" in the wake of Hurricane Irma. The Post says Trump's "praise for the Coast Guard is a much-needed confidence boost for the service, which was roiled by early Trump administration proposals to cut \$1.3 billion from its budget to help pay for the planned wall on the US-Mexico border."

USA Today (9/12, Moniuszko, 8.62M), however, reports that during Late Night on Monday, host Seth Meyers "didn't hold back while making fun of President Trump's comments on the storm," which praised the Coast Guard's "branding." "You'd think applauding the bravery of emergency responders like the Coast Guard would be one of the easiest things a president could do – but even that, it seems, is too much to ask of Donald Trump," Myers said. "Branding? The Coast Guard doesn't need to improve their brand, they're the Coast Guard. They're not Arby's."

**Daily Caller Analysis: Telethon Gets "Political."** In a report that was the lead story on Drudge Report Tuesday night, the Daily Caller (9/12, 521K) reports Stevie Wonder kicked off Tuesday's "Hand In Hand" telethon to raise money for hurricane recovery "by getting political." Wonder started the telethon, which was broadcast on every major network, by saying, "Anyone who believes that there's no such thing as global warming must be blind or unintelligent."

**FLORIDA LAWMAKERS SEEK FEDERAL AID FOR IRMA CLEANUP.** McClatchy (9/12, Daugherty, 67K) reports that "many members of Florida's congressional delegation couldn't be in Washington for votes on Tuesday, as the state began a massive cleanup after Hurricane Irma. But that hasn't stopped them from pressing colleagues who were spared Irma's wrath to join in their quest for federal help." Rep. Ileana Ros-Lehtinen is "urging Washington to treat her state as it did Texas just a week ago," but her call "will likely meet resistance from conservative Republicans who bristle at any new spending that doesn't include corresponding cuts elsewhere."

Florida Sen. Bill Nelson said on CNN's Situation Room (9/12, 917K), "Isn't it interesting that 90 members of the House of Representatives voted against the \$15 billion package for Texas and Florida that we passed last week. That's only going to last for a few weeks. The massiveness for the storm here, and then what happened in Texas, is going to take a lot more. We are going to run out of money in a few weeks. We are going to have to do this again in October. Can you believe 90 members of the House of Representatives voted against this? It boggles my mind."

OMB Director Mulvaney was asked on Fox News' Special Report (9/12, 2.12M) if he knows how much money will ultimately be required for hurricane relief. Mulvaney said, "No, and we won't know for quite some time. That's why we have broken it up into smaller pieces. The amount of money we asked for last week that Congress gave us on a bipartisan basis was enough to get us through basically the middle of October. The numbers can change depending upon how substantial the damage was in Florida. A lot of this is still guesswork. It's early on. But we have enough money to buy time and learn about the damage in Texas, learned about the damage in Florida. But, it could be months before the totals are in."

The Orlando (FL) Sentinel (9/12, Shanklin, 603K) reports that the "speed and amount of federal aid that comes to Central Florida depends on everything from the amount of debris that gets carted away to how well counties prepared for the event." According to the Sentinel, "what was uncertain on Tuesday was whether Orange, Lake, Seminole or Osceola counties would become



eligible for FEMA's 'individual assistance,' which gives survivors timely access to programs including unemployment assistance and housing assistance." It notes that by Tuesday, FEMA had already "approved 16 counties — mostly coastal — for the assistance."

The New York Times (9/12, Bidgood, Cochrane, Goldstein, Subscription Publication, 13.56M) reports Gov. Rick Scott said Tuesday that the state had "shifted its attention to recovery and rebuilding efforts, while working to get water and food to those who needed it and to restore access to fuel." Said Scott, "We've got a lot of work to do, but everybody's going to come together. We're going to get this state rebuilt."

**FEMA: One Quarter Of Keys Homes Could Be Destroyed.** The AP (9/12, Dearen, Mendoza) reports that search-and-rescue teams "made their way into the Florida Keys' farthest reaches Tuesday, while authorities rushed to repair the lone highway connecting the islands and deliver aid to Hurricane Irma's victims." FEMA Administrator Long "said that preliminary estimates suggested that 25 percent of the homes in the Keys were destroyed and 65 percent sustained major damage." The Wall Street Journal (9/12, Calvert, Kamp, Bernstein, Subscription Publication, 6.45M) quotes Long as saying, "Basically every house in the Keys was impacted in some way or another. This is why we ask people to leave."

Both the CBS Evening News (9/12, lead story, 2:50, Mason, 11.17M) and NBC Nightly News (9/12, lead story, 3:10, Holt, 16.61M) briefly noted Long's assessment in their lead story. CBS said that it remains unclear when residents will be allowed to return their homes in the lower Keys, and NBC said that while the "road to recovery may be longest in the Keys, but those who live here say they are ready to rebuild." ABC World News Tonight (9/12, lead story, 3:30, Muir, 14.63M) reported that "military teams from both the Army and the Air Force, [are] leading the recovery effort" in the Keys. NBC Nightly News (9/12, story 2, 1:20, Almaguer, 16.61M) reported that US Navy is also "deploying across the Florida Keys," conducting search-and-rescue missions, and delivering food and water.

The New York Times (9/12, Blinder, Santora, Yee, Subscription Publication, 13.56M) reports that on Tuesday, evacuees were "still shut out of the islands" as "rescue teams like the Federal Emergency Management Agency crew from Los Angeles checked on those who had stayed behind."

The Washington Post (9/12, 10.38M), meanwhile, reports that satellite images from NASA show that in Key West, "damage is visible, however it appears to be less extensive than the islands in the Caribbean."

**Millions Still Without Power In Florida.** The Orlando (FL) Sentinel (9/12, Harris, 603K) reports Florida officials said Tuesday that "some of the 5.2 million customers statewide could be without power for a week or more. They say it will be the largest restoration process in history." Duke Energy spokeswoman Ann Marie Varga "said it will take time to get the lights back on because it suffered widespread damage to its transmission lines." Similarly, Florida Power and Light (FPL) "said customers who live on the west side of the state may not be restored until Sept. 22 while those on the east coast by Monday."

The South Florida Sun Sentinel (9/12, Davis, 530K) reports that FPL "promised" Tuesday that power "should be back on throughout South Florida by the end of the weekend," and the Naples (FL) Daily News (9/12, Riley, 142K) reports that a "small army of Florida Power and Light employees has been working to restore power in the state...but customers on the west coast will have to wait longer than others — up to as late as Sept. 22."

The CBS Evening News (9/12, story 2, 1:40, Mason, 11.17M) reported FPL alone "has to restore power to 1.5 million homes and businesses in South Florida's three major counties." ABC World News Tonight (9/12, story 2, 2:15, Muir, 14.63M) reported that crews "have restored power to more than two million customers," and according to the Palm Beach (FL) Post (9/12, 273K), "As



of 5 p.m. [on Tuesday], more than half of FPL's customers in Palm Beach County now have power restored." NBC Nightly News (9/12, story 3, 2:10, Holt, 16.61M) called it "the largest power restoration effort in US history. Local crews and teams from New York, Pennsylvania, even Minnesota, working to light up the southeast."

The Washington Post (9/12, Achenbach, Berman, 10.38M) reports that the "unprecedented outages...also unleashed a cascade effect across the region. Millions of people who fled Irma may struggle to return home for weeks as crews try to deal with downed lines, debris and a storm-swamped electrical grid. Electrical power is needed, too, to keep water and sanitation systems operating." Christopher Krebs, Assistant Secretary for Infrastructure Protection at DHS, said Tuesday morning that "as many as 15 million people in Florida lacked power, an astonishing figure that represented three-quarters of the state's entire population."

***Flood Waters Recede in Downtown Jacksonville.*** The Florida Times-Union (9/12, Conarck, 199K) reports that floodwaters "receded by midday on Tuesday, but it was hardly business as usual in downtown Jacksonville, where business owners and electrical crews were assessing damages." The New York Times (9/12, Bidgood, Cochrane, Goldstein, Subscription Publication, 13.56M) reports that the extent of the flooding in Jacksonville "shocked" residents and officials alike, Gov. Rick Scott said, adding, "So many areas that you would never have thought have flooded, have flooded."

ABC World News Tonight (9/12, story 13, 1:25, Muir, 14.63M) reported that "members of the Coast Guard came from Kentucky, West Virginia, [and] Tennessee to Jacksonville to help those caught in the storm, rescuing more than 100 people."

***WSJournal: Reforms Helped State-Backed Insurer Cover Irma Claims.*** The Wall Street Journal (9/12, Board, Subscription Publication, 6.45M) editorializes that reforms undertaken by taxpayer-backed Citizens Property Insurance Corp. have allowed it to cover all the claims from Hurricane Irma. Next, the Journal urges Florida to move on tort reform before the next big hurricane hits the state.

***Limbaugh, Coulter Face Criticism For Hurricane Irma Comments.*** USA Today (9/12, Snider, 8.62M) reports conservative pundits Rush Limbaugh and Ann Coulter are facing blowback from their "unusual — some said dangerous — counterpoint to the blunt warnings booming out of the state's official offices" to evacuate. They charged that "the liberal media had cooked up the storm for ratings, retail sales and politics." Critics, however, "assailed them as delivering their own waves of disinformation or, at best, poor attempts at humor, ill-conceived when the storm looked likely to take lives and leave millions without power."

***MORE THAN 2,000 AMERICANS EVACUATED FROM CARIBBEAN.*** ABC World News Tonight (9/12, story 3, 1:35, Muir, 14.63M) reported that "more than 2,000 Americans" who were caught in the Caribbean when Hurricane Irma hit "have now made it out onto US military planes and on private cruise ships, as conditions on those islands continue to deteriorate." The CBS Evening News (9/12, story 3, 3:00, Mason, 11.17M) reported that the Puerto Rico National Guard evacuated an estimated 300 to 400 Americans from St. Martin. CBS said that while "all the major airports in Florida have reopened...most are operating at about half the normal capacity, and there is still a huge backlog of travelers. More than 17,000 flights in the US and the Caribbean were canceled because of Irma."

***FLORIDA PIZZA HUT MANAGER THREATENS TO PUNISH EMPLOYEES EVACUATING AHEAD OF IRMA.*** USA Today (9/12, Hafner, 8.62M) reports that manager of a Jacksonville, Florida Pizza Hut threatened to punish employees who didn't show up for shifts because they evacuated more than one day ahead of Hurricane Irma. The note also said, "in the event of an evacuation, you MUST return within 72 HOURS." Pizza Hut spokesman Doug Terfehr said in a statement that the memo is an "isolated incident by an employee who showed very poor judgement" and had been addressed by the franchise's operator. He added, "This is not,



whatsoever, a company or franchise policy." However, in general employers can legally fire storm-fleeing employees.

**BRITISH VIRGIN ISLANDS PRISONERS ESCAPE IN IRMA'S WAKE.** The New York Post (9/12, Fears, 4.31M) reports that, according to a government memo, "forty 'high risk' inmates escaped from a prison on the British Virgin Islands" following Hurricane Irma. British Junior Foreign Minister Alan Duncan said, according to the Daily Mail, said, "We had a serious threat of a complete breakdown of law and order in the British Virgin Islands"; more than 700 British troops and 50 police officers have been sent to restore peace.

**MOSQUITOES, TOXINS IN FLOOD WATERS A GROWING CONCERN IN TEXAS.** The CBS Evening News (9/12, story 4, 2:20, Mason, 11.17M) reported from Houston that "what lies beneath the floodwaters is becoming a growing concern. Along with exposure to mold, toxins are floating around, too. Tests of floodwaters conducted by Baylor College of Medicine and Rice University show some neighborhoods are contaminated with lead and arsenic, as well as bacteria like E. Coli – found in one area at levels 135 times what's considered safe." Another concern, according to CBS, "are the mosquitoes that breed in stagnant pools like this one and also carry West Nile and Zika. Now, ground spraying has started in certain neighborhood where's the water has receded, but in other neighborhoods, they're going to have to spray by the air."

**UP TO ONE MILLION VEHICLES SUFFERED DAMAGE IN HARVEY, IRMA.** ABC World News Tonight (9/12, story 5, 1:25, Muir, 14.63M) reported Hurricanes Harvey and Irma delivering "a one-two punch to vehicles from Florida all the way to Texas and north. Up to a million cars and trucks may have spent time soaking in the floodwaters. And some of them may now be headed back to the market." ABC's Eva Pilgrim warned consumers that "before you buy a used car, get a report on the vehicle and make sure you see a mechanic."

**LATEST FORECAST SHOWS HURRICANE JOSE TO IMPACT EAST COAST.** On ABC World News Tonight (9/12, story 4, 0:55, Muir, 14.63M), Meteorologist Ginger Zee said that Hurricane Jose, on its current track, is likely to bring "high surf and rip currents" to the East Coast in the coming days.

**JOB OPENINGS AT RECORD HIGH.** Reuters (9/12) reports the monthly Job Openings and Labor Turnover Survey (JOLTS) released by the Labor Department Tuesday shows that job openings in the US reached a record high in July, "suggesting a slowdown in job growth in August was an aberration and that the labor market was strong before the recent disruptive hurricanes." Job openings "increased by 54,000 to a seasonally adjusted 6.2 million," their "highest level since the data series started in December 2000." The report, says Reuters, "showed the labor market continued to tighten amid a scarcity of workers."

**Gallup Analyst: 80 Percent Of Americans "Satisfied" With Their Standard Of Living.** The Washington Times (9/12, Harper, 541K) reports that Gallup analyst Jim Norman says that "80 percent of the nation say they are 'satisfied' with their current standard of living, and the pollster's complex but revealing 'well-being index' now stands at 54, a record high." According to Norman, "The percentage of Americans saying their standard of living is getting better has risen from 62 percent in 2016 to 64 percent so far this year, with a corresponding drop in the percentage saying it is getting worse, from 22 percent to 19 percent."

**Stocks Indexes Close At Record Highs.** Reuters (9/12, Carew) reports that the major stock indexes posted record highs Tuesday. The Dow added 61.49 points to close at 22,118.86. The S&P 500 climbed 8.37 points to 2,496.48 and the Nasdaq ended the day 22.018 points higher at 6,454.28.

**TRUMP TO MEET WITH HOUSE MODERATES WEDNESDAY.** In what Politico (9/12, Caygle, Bade, 3.6M) calls "the latest across-the-aisle outreach by the White House to Democrats," President Trump is scheduled to meet Wednesday with a group of moderate House members.



Politico cites “multiple sources” who say “members of the bipartisan Problem Solvers Caucus, including its co-chairmen, Reps. Tom Reed (R-NY) and Josh Gottheimer (D-NJ), will attend.” Others on the list of invitees include Reps. Henry Cuellar, Kyrsten Sinema, Tom Suozzi, Kurt Schrader, Stephanie Murphy, Glenn Thompson, and Collin Peterson.

**WHITE HOUSE: INVESTIGATION OF COMEY “SHOULD BE LOOKED AT” BY DOJ.** The New York Post (9/12, Moore, 4.31M) reports that during a Tuesday press briefing, White House press secretary Sarah Huckabee Sanders said “that federal prosecutors should investigate ousted FBI Director James Comey, saying it’s something that ‘should be looked at.’ She said it’s not President Trump’s role but a decision for the Department of Justice.” Sanders is quoted as saying, “If there’s ever a moment where we feel somebody’s broken the law, particularly if they’re the head of the FBI, that’s certainly something that should be looked at.”

The Hill (9/12, Fabian, Easley, 1.68M) quotes Sanders as saying of Trump’s firing of Comey, “The president is proud of the decision that he made. The president was 100 percent right in firing James Comey. He knew it could be bad for him politically and felt he had an obligation to do what was right for the American people and men and women at the FBI.” Sanders continued, “I think there is no secret Comey, by his own self-admission, leaked privileged government information weeks before President Trump fired him. Comey testified that an FBI agent engaged in the same practice would face serious repercussions. His actions were improper. He leaked memos to [The] New York Times. He signaled he would exonerate Hillary Clinton before interviewing her. [Trump] is very happy with the decision he made.”

The New York Times (9/12, Haberman, Subscription Publication, 13.56M) reports that Trump “has accused Mr. Comey of leaking classified information by furnishing memos about his interactions with the president to a friend, who provided them to a reporter. The friend has said the information was not classified.” The Washington Examiner (9/12, Quinn, 465K) reported that ex-White House strategist Steve Bannon said in an interview with CBS’ “60 Minutes,” which aired on Sunday, that “he believed firing Comey in May was the biggest mistake made by a president in ‘modern political history.’ But the White House reiterated both Monday and Tuesday Trump stands by his decision, and said recently revealed information about Comey and his actions justify his dismissal.”

Townhall (9/12, Pavlich, 523K) reported that Sanders’ remarks came “more than a week after members of the Senate Judiciary Committee, including Chairman Chuck Grassley, revealed Comey made the decision to exonerate...Clinton months before FBI agents finished their criminal investigation into her repeated mishandling of classified information. The revelation is at odds with testimony Comey gave under oath to Congress about the timing of the FBI’s investigation.”

**Bannon: No Doubt Comey Firing Led To Special Counsel In Russia Investigation.** Coverage of Bannon’s interview for “60 Minutes” continues, with reporting once again focused on Bannon’s criticism of Trump’s decision to fire Comey. ABC World News Tonight (9/12, story 7, 1:40, Muir, 14.63M) reported Bannon, in his first interview since leaving the Administration, “is now blasting the President’s decision to fire...Comey, calling it the biggest mistake in modern political history.” Bannon: “I don’t think there’s any doubt that if James Comey had not been fired, we would not have a special counsel” for the Russia probe.

**CBS Analysis: Mueller Has “All-Star” Team.** Noting Bannon’s comments, the CBS Evening News (9/12, story 6, 2:30, Mason, 11.17M) reported Special Counsel Robert Mueller has put together an “all-star” team of prosecutors with “experience in long-term investigations, going after organized crime, money laundering, cyber-terrorism, and foreign bribery. Some even speak Russian.” One member of Mueller’s team is Andrew Weissman, who, in the 1990s, worked in the Justice Department’s fraud section on a case “linked to the mafia and Russian organized crime that involved Felix Sater, a Trump business partner who is now of interest to Mueller’s investigation.” Prosecutor Andrew Goldstein, another member of the team, has handed over to Mueller an investigation into former Trump campaign chairman Paul Manafort that Goldstein led



at the US Attorney's office in Manhattan. In addition, James Quarles – one of the “more experienced members” of Mueller's team – served on the Watergate Special Prosecution Task Force.

***Kremlin-Linked Firm Created Facebook Account To Disseminate Anti-Immigrant***

**Messages.** The New York Times (9/12, Shane, Subscription Publication, 13.56M) reports that a “notice went out on Facebook last year, calling citizens of Twin Falls, Idaho, to an urgent meeting about the ‘huge upsurge of violence toward American citizens’ by Muslim refugees who had settled there. The inflammatory post, however, originated not in Idaho but in Russia. The meeting's sponsor, an anti-immigrant page called ‘Secured Borders,’ was one of hundreds of fake Facebook accounts created by a Russian company with Kremlin ties to spread vitriolic messages on divisive issues.” The Times adds, “A report by the Russian media outlet RBC last March...identified the Secured Borders page as the work of the Internet Research Agency, a St. Petersburg firm that employs hundreds of so-called trolls to post material in support of Russian government policies. A Facebook official confirmed that Secured Borders was removed in the purge of Russian fakes.”

***During Trump Transition, Flynn Promoted “For-Profit” Nuclear Plan, Was Paid By***

**Supporters.** Politico (9/12, Dawsey, 3.6M) reported, “As a top official in President Donald Trump's transition team, Lt. Gen. Michael Flynn actively promoted a private-sector scheme to build dozens of nuclear reactors across the Middle East known informally in the transition as the ‘Marshall Plan.’ But he did not publicly disclose that backers of the plan had paid him at least \$25,000.” Politico said that during the transition, Flynn was in communication with supporters “of the for-profit plan, billed as a way of strengthening ties between the US and Arab allies looking to develop nuclear power capability.” At the same time, he “expressed his support for the plan with people inside the transition – and discussed its merits with others beyond Trump Tower, according to sources within and close to the Trump team at that time.”

**TRUMP SAYS SOME WRITING ABOUT HIM “KNOW NOTHING ABOUT ME & HAVE ZERO ACCESS.”**

Politico (9/12, Nelson, 3.6M) reported that President Trump “lashed out Tuesday morning at authors who write about him, posting on Twitter that their books and articles amount to ‘fake news’ because ‘they know nothing about me.’” Trump is quoted as tweeting, “Fascinating to watch people writing books and major articles about me and yet they know nothing about me & have zero access. #FAKE NEWS!” The President “did not make clear which authors, books or articles he was referring to,” but his “tweet coincided with the release of two prominent books related to the 2016 election, Hillary Clinton's campaign memoir, titled ‘What Happened,’ and NBC political reporter Katy Tur's ‘Unbelievable: My Front-Row Seat to the Craziest Campaign in American History.’”

***USA Today Analysis: Trump May Have Been Tweeting About “At Least Three Different***

**Books.”** In an analysis, USA Today (9/12, Estepa, 8.62M) reports that Trump's tweet may have been referring to “at least three different books.” The “most obvious choice” is “What Happened” by Hillary Clinton, which was released Tuesday. Others could be “Unbelievable: My Front-Row Seat to the Craziest Campaign in American History” by NBC News' Katy Tur, and a yet untitled book project by the New York Times' Maggie Haberman and Glenn Thrush about the “first years of the Trump administration.”

**STUDY: NETWORK NEWSCASTS' TRUMP COVERAGE 91% NEGATIVE IN JUNE, JULY,**

**AUGUST.** The Washington Times (9/12, Harper, 541K) reports, “Much of the news media continues to offer coverage which is both hostile and biased against President Trump and his administration,” according to “a wide-reaching new study from the Media Research Center,” which found “that 91 percent of the recent coverage which aired on ABC, CBS and NBC has been negative. ‘Since January 20, Media Research Center analysts have reviewed every mention of President Trump and top administration officials on ABC's World News Tonight, the CBS Evening News and NBC Nightly News, including weekends,’ write research director Rich Noyes and Mike Ciandella, a senior analyst for the conservative press watchdog.” The analysts added,



"In June, July and August, broadcast evening news coverage of Trump was 91 percent negative – worse than the astounding 89 percent negative spin we calculated during the first three months of the administration."

**BANNON SAYS HE SPEAKS WITH TRUMP SEVERAL TIMES A WEEK.** The Wall Street Journal (9/12, Steinberg, Russolillo, Khan, Subscription Publication, 6.45M) reports that while meeting privately over lunch on Tuesday with a collection of money managers in Hong Kong, ex-White House chief strategist Steve Bannon said that he still speaks with President Trump several times per week, according to those who attended the gathering. Those people said that Bannon indicated his most recent conversation with Trump took place the previous night and lasted for about an hour. The Journal adds that White House press secretary Sarah Huckabee Sanders on Monday had said she believed Bannon had conversed with Trump only once since his exit from the Administration.

***The Hill Analysis: "Mainstream Republicans" Worried About Bannon Primary Attacks.*** The Hill (9/12, Easley, 1.68M) reported, "Republicans are fearful about the damage...Bannon and his allies will inflict on GOP incumbents seeking reelection in the 2018 midterms. Bannon has been meeting with insurgent conservative candidates and is committed to making Breitbart News... a major player in the" GOP "primaries against candidates he views as insufficiently loyal to President Trump. Bannon is also in discussions with the pro-Trump outside group Great America PAC – which has raised and spent tens of millions of dollars in the last two years – about acting as his political arm in targeting" GOP House and Senate incumbents. The Hill added, "Mainstream Republicans are fretting over the havoc those forces could unleash," expressing concern that they "could sink one or two incumbents in primaries and hobble others enough that they lose winnable general election races to Democrats."

***Von Drehle: Bannon's "Big Ideas Boil Down To A Residue Of Nonsense."*** In his Washington Post (9/12, 10.38M) column, David Von Drehle discusses Bannon's interview with "60 Minutes," writing that he cast Trump – "and himself – as philosophers and men of principle guided by a few big ideas." However, "those big ideas boil down to a residue of nonsense." Von Drehle says Bannon's "big holey cheese was an idea he called 'populist economic nationalist,' which...turns out to have almost nothing to do with the Trump presidency." As one example, Von Drehle pointed to the Affordable Care Act, saying that Bannon "bitterly attacked Republican leaders of Congress for their failure to repeal the law and replace it with a new" measure. However, "health care is one of the least globalized industries we have. And the goal of Obamacare (however unevenly achieved) is to make access to medical care more widely available. So why would this be the urgent Job One for a supposed populist economic nationalist?"

**CONGRESS PASSES JOINT RESOLUTION URGING TRUMP TO DENOUNCE HATE GROUPS.** The New York Times (9/12, Thrush, Subscription Publication, 13.56M) reports the House and Senate on Tuesday unanimously passed a joint resolution "urging President Trump to denounce racist and anti-Semitic hate groups, sending a blunt message of dissatisfaction with the president's initial, equivocal response to the white nationalist violence in Charlottesville" last month. The resolution may be sent for Trump's signature "as early as Wednesday."

***ESPN Issues "Meek" Statement Disapproving Of Anchor Who Called Trump A White Supremacist.*** The Washington Times (9/12, Richardson, 541K) reports that ESPN on Tuesday "issued a meek statement" disapproving of anchor Jemele Hill's recent tweets calling President Trump and his supporters "white supremacists." The statement read, "The comments on Twitter from Jemele Hill regarding the President do not represent the position of ESPN. ... We have addressed this with Jemele and she recognizes her actions were inappropriate."

***Bannon To Speak At Berkeley.*** The New York Times (9/12, Astor, Subscription Publication, 13.56M) reports that Steve Bannon has agreed to speak later this month at the University of California, Berkeley as part of its four-day Free Speech Week event organized by The Berkeley Patriot, a conservative student publication. Conservative speaker Milo Yiannopoulos is also



scheduled to appear. The Times highlights that Bannon's visit will come after a year of tensions on campus surrounding events with conservative speakers.

Politico (9/12, Marinucci, 3.6M) reports that UC Berkeley assistant vice chancellor Dan Mogulof told Politico on Tuesday that the Berkeley Patriot "still has not completed the critical steps" necessary to arrange venues" for its Free Speech Week event later this month – raising questions about whether the event will still continue. According to Mogulof, the group "has failed to provide requested information needed to provide security for the events, 'nor has it confirmed the list of speakers and when they intend to schedule events with those speakers.'"

***Berkeley Police Now Allowed To Use Pepper Spray.*** The AP (9/12) reports the Berkeley City Council voted Tuesday to allow Berkeley police to use pepper spray to subdue violent protesters "after the City Council modified a 20-year ban on officers' ability to use the weapon."

***Central Park's Christopher Columbus Statue Vandalized.*** The New York Times (9/12, Nir, Mays, Subscription Publication, 13.56M) reports that the Christopher Columbus statue inside Central Park was found vandalized on Tuesday morning, "its hands stained with red paint and its pedestal scrawled with graffiti including the hashtag '#somethingscoming.'" The words "Hate will not be tolerated" had also been written in white spray paint on the pedestal.

***Lawyer: Americans Should Pause Before Erasing Historical Symbols.*** In a Wall Street Journal (9/12, Subscription Publication, 6.45M) op-ed, attorney James Marquardt writes about his experience as the leader of Kalamazoo, Michigan's arts council during a 2006 controversy over whether a city fountain should have been removed because of its depictions of pioneer settlers removing Native Americans – a controversy that ended with the city deeming the fountain not offensive. He writes that today the statue is listed on the National Register of Historic Places as an important piece of history documenting the suffering of Native Americans, and he argues that Americans should pause before erasing symbols of their past.

***GORKA: GOP "DID NOT WIN THE ELECTION," TRUMP DID.*** The Los Angeles Times (9/12, Tarnopolsky, 4.49M) provides an edited transcript on a recent interview it conducted with ex-White House national security aide Sebastian Gorka. During the interview, says the Times, Gorka "expressed continuing support for President Trump, denounced" GOP "leaders as a greater obstacle to Trump's success than Democrats, and predicted that the president would soon purge the White House of staffers who are not loyal to his 'Make America Great Again' agenda." Gorka is quoted as saying in the interview, "I've said this again and again and again: The biggest problem we have isn't the Democrat Party. The biggest near-term obstacle to the president's agenda is the fact that the GOP...thinks they won the election. They did not win the election. The president was only the Republican candidate by accident. He is the quintessential anti-establishment candidate, as anti-left-wing establishment as he is anti-right-wing establishment."

***WHITE HOUSE SAYS TRUMP "STANDS BY" ENDORSEMENT OF STRANGE.*** The AP (9/12, Thomas) reports that the White House on Tuesday reaffirmed support for appointed Sen. Luther Strange (R-AL), who is battling ex-state Supreme Court Justice Roy Moore (R-AL) in the Sept. 26 GOP runoff in the special election for the former seat of Attorney General Sessions. The AP says White House legislative director Marc Short "was asked about the race by reporters at a breakfast Tuesday. He said President Donald Trump 'has endorsed Luther Strange and he continues to stand by that endorsement.'"

Even so, The Hill (9/12, Kamisar, 1.68M) reported that Strange "is racing to win more" aid from the President, "as Trump keeps his distance from the intraparty fight." While Trump "endorsed Strange before Alabama's Republican primary in August," the President "has hardly lifted a finger since, frustrating the senator's allies." The Hill added, "With polls suggesting that Strange is behind in the race, time is running out for Trump to boost Strange's campaign." The senator "has spent the past week trying to tie himself more closely to Trump, backing Trump's call to end the Senate filibuster and hoping to nudge the president back into the fray."



**Bannon-Linked Group's Ad Takes Aim At Strange, McConnell.** Politico (9/12, Isenstadt, 3.6M) reported, "An outside group linked to Steve Bannon is venturing into the closely watched" GOP contest, launching "a hard-hitting" ad targeting Strange and Senate Majority Leader Mitch McConnell, "Bannon's nemesis. The spot, from the pro-Trump organization Great America Alliance, describes Strange as a 'big time lobbyist' who was 'appointed by the swamp' and is 'in the pocket of Mitch McConnell.'" In the ad, a narrator says, "It's time to drain the swamp. Take your voice to Washington, and vote for someone to represent you. On Sept. 26, don't let the swamp take over Alabama."

The Hill (9/12, Greenwood, 1.68M) reported that the spot "also includes a clip of former Alabama Gov. Robert Bentley saying that Strange was the 'first person' mentioned by McConnell to fill the Senate seat vacated by...Sessions in February. 'I talked with Mitch McConnell, and the first person that he actually mentioned was Luther Strange,' Bentley, who resigned earlier this year amid a sex scandal, says in the ad. 'So Luther is not a stranger in Washington.'"

**Foundation's Back Pay To Moore, Second Mortgage Draw Scrutiny.** Alabama Live (9/12, Koplowitz, 608K) reports, "As the Foundation for Moral Law fought – unsuccessfully – a lawsuit against it by a Christian fundraising operation, the organization with ties to...Moore took out a second mortgage on its Montgomery building to pay Moore years of back pay, federal court filings and Montgomery County probate records showed." Moore, at the time, was president of the foundation, according to the report. Alabama Live says "it remains unclear years later who paid the \$465,000 judgement against the foundation because the organization has not filed its taxes since 2014 and didn't report the payment in its most recently filed tax returns."

**WHITE HOUSE ON CLINTON ELECTION BOOK: TRUMP "PRETTY WELL-VERSED ON WHAT HAPPENED."** The AP (9/12) reports that at Tuesday's press briefing, White House spokeswoman Sarah Huckabee Sanders accused Hillary Clinton "of 'propping up book sales with false and reckless attacks.'" Sanders said "she's unsure if President Donald Trump will be reading 'What Happened,' Clinton's account of the 2016 campaign," saying "the president is 'pretty well-versed on what happened.'" Politico (9/12, Nelson, 3.6M) quoted Sanders as saying, "I think it's sad that after Hillary Clinton ran one of the most negative campaigns in history and lost and the last chapter of her public life is now going to be defined by propping up book sales with false and negligent attacks." The Washington Times (9/12, Miller, 541K) and USA Today (9/12, Estepa, 8.62M) also report on Sanders' comments on Clinton's book.

**Conway Hits Clinton For "Talking About Hillary" On 9/11 Anniversary.** USA Today (9/12, Cummings, 8.62M) reports that counselor to the President Kellyanne Conway on Monday blasted Clinton "for promoting her book on the 16th anniversary of the 9/11 attacks. On the anniversary of that dark day in American history, when the nation is still reeling from Hurricanes Harvey and Irma, 'Hillary is talking about Hillary,' Conway tweeted."

**NYPost's Callahan: Clinton Book-Signing Event Simply A Cash-Grab.** Meanwhile, in her New York Post (9/12, 4.31M) column, Maureen Callahan discusses Clinton's Tuesday book-signing event in New York City, saying that those who turned out were meant "to serve two purposes: To make sure 'What Happened' debuts at No. 1 on the bestseller list and to line Hillary's pockets. (At least she wasn't surcharging \$89-\$3,000 per head, as she is at forthcoming events.) ... Wait for hours, sweat it out, love her all you want – she's popping in for your cash, nothing more."

**JORDAN RIPS WSJOURNAL OVER "FALSE STORY" ON HOUSE FREEDOM CAUCUS.** Rep. Jim Jordan was asked on MSNBC's Morning Joe (9/12, 974K) about the Wall Street Journal's claim that the House Freedom Caucus is contemplating a GOP leadership coup. Jordan said, "Nobody is talking about change in leadership, and frankly, instead of the Wall Street Journal using six unnamed sources to write something that is not accurate – and this is not the first time they have done it – why don't they call us? Do you know how many times I've talked to Paul Gigot



this Congress? Zero. You know how many times they've called up [Rep. Mark Meadows (R-NC)] in his entire tenure in Congress? Zero. Why don't you just call us? We'll be happy to give you the truth instead of using six unnamed sources, false story after false story."

**ZINKE ORDERS CLEARING OF TREES TO COMBAT WILDFIRES.** In "a policy switch that represents a dramatic departure from nearly three decades of hands-off management in the federal forests," Interior Secretary Zinke on Tuesday moved "to combat the spread of catastrophic wildfires by clearing more trees," the Washington Times (9/12, Richardson, 541K) reports. Zinke "released a department-wide memo calling on supervisors and managers to 'think about fire in a new and aggressive way' by clearing the dead and dying trees and vegetation that have overrun the federal forests and heightened wildfire danger." Zinke said in a statement, "This Administration will take a serious turn from the past and will proactively work to prevent forest fires through aggressive and scientific fuels reduction management to save lives, homes, and wildlife habitat."

**INTERIOR IG EXAMINING REASSIGNMENT OF SES MEMBERS.** The Washington Post (9/12, Davidson, 10.38M) reports that "in response to a request from eight Democrats on the Senate Energy and Natural Resources Committee," the Interior Department's Office of Inspector General "is examining the extraordinary and politically suspect reassignment of dozens of Senior Executive Service (SES) members." The Democrats' request came "after one Interior senior executive, Joel Clement, wrote a Washington Post article that said he was reassigned and 'retaliated against for speaking out publicly about the dangers that climate change poses to Alaska Native communities.'" On Monday, Sen. Maria Cantwell, one the Democrats seeking a probe, "welcomed the review, saying 'there are serious questions that need to be answered about the treatment of public servants who have dedicated their careers to the Department of the Interior.'"

**LEE BLASTS DEMOCRATS' QUESTIONING OF BARRETT.** Sen. Mike Lee was asked on Fox News Tucker Carlson Tonight (9/12, 2.76M) if Democrats' questioning of judicial nominee Amy Barrett amounted to a religious test. Lee said, "It certainly felt that way to me...and as a religious minority myself, I am someone whose ears perk up very quickly when I start hearing questions into someone's religious belief and saying that they are of a concern to my colleagues." Lee added, "Can you imagine someone asking this of a Muslim or someone who is Jewish or a Hindu or a Sikh? Any other religion. Anyone who worships other than in a Catholic or a Christian or a Mormon background I can't even imagine how that would ever be tolerated for a moment."

**WSJournal: Grassley Should Suspend Al Franken's Blue Slip.** In an editorial, the Wall Street Journal (9/12, Subscription Publication, 6.45M) reports that in light of Sen. Al Franken's (D-MN) recent announcement that he will refuse to return his blue slip on the nomination of a judge to the Eighth Circuit, Judiciary Chairman Chuck Grassley should suspend Sen. Franken's blue slip. The Journal contends that Grassley has full authority to suspend the blue slip tradition on a case-by-case should senators obstruct the nomination process.

**VOTER FRAUD COMMISSION CRITICIZED BY ITS DEMOCRATIC MEMBERS.** The New York Times (9/12, Wines, Subscription Publication, 13.56M) reports that as President Trump's voter fraud commission met in New Hampshire Tuesday "to discuss what members characterized as declining confidence in elections," the "most telling discussions of the session addressed declining confidence in the commission itself." Democratic commission member New Hampshire Secretary of State William M. Gardner "warned that 'the specter of extreme political partisanship' threatened to undermine whatever work it was doing," and Maine Secretary of State Matthew Dunlap, "another Democrat on the commission, dressed down the commission's Republican vice chairman for what he called reckless statements about supposed voter fraud in New Hampshire."

Bloomberg News (9/12, Harris, 4.52M) reports that commission chairman, Kansas Secretary of State Kris Kobach "was lambasted" by Gardner and Dunlap "for an opinion piece he wrote in a Breitbart.com last week" claiming that "New Hampshire laws allowed people with out-of-state



identification to vote there and election results were likely tipped illegally in favor of Democrats.” The Washington Post (9/12, Wagner, 10.38M) says Kobach “largely defended an article published Friday in which he pointed to statistics showing that more than 6,000 people had voted in a close election [in New Hampshire] using out-of-state driver’s licenses to prove their identity,” and “suggested that was evidence of people taking advantage of New Hampshire’s same-day registration and heading to the Granite State to cast fraudulent votes.”

**Experts Tell Commission Voting Machines Are Susceptible To Hacking.** The Washington Times (9/12, Dinan, 541K) reports that computer experts told the commission Tuesday that the nation’s voting machines “are susceptible to hacking, which could be done in a way so that it leaves no fingerprints, making it impossible to know whether the outcome was changed.” MIT professor Ronald Rivest told the panel, that “hackers have myriad ways of attacking voting machines.” Said Rivest, “You don’t want to rest the election of the president on, ‘Maybe the Wi-Fi was turned on when it shouldn’t have been.’” Princeton professor Andrew Appel “said it would be easy to write a program that cheats on election results and deletes evidence of the hack as soon as the results are reported.”

**ATTORNEYS ASK ADMINISTRATION TO PROTECT PRO-LIFE CLINICS FORCED TO PERFORM ABORTIONS.** The Washington Times (9/12, Richardson, 541K) reports attorneys have filed complaint with HHS “asking the agency to protect the free speech rights of pro-life doctors and women’s health clinics from states governments trying to force them to promote abortion.” The Alliance Defending Freedom, which “has filed state and federal lawsuits challenging such laws,” said the Trump Administration can “take action to ensure the First Amendment rights of pro-life medical practitioners are upheld.” ADF legal counsel Elissa Graves said in a statement, “Government officials shouldn’t be allowed to force anyone to provide free advertising for the abortion industry. ... Furthermore, federal law simply doesn’t allow it. States that compel pro-life doctors and staff to act contrary to their conscience do not qualify for federal funds. We have filed these complaints to inform HHS of what is happening so that it can take action.”

**PRUITT DENIES ICAHN HAD EXCESSIVE INFLUENCE IN BIOFUEL REGULATION.** Reuters (9/12, Volcovici) reports that EPA Administrator Pruitt said in a letter dated September 11 to Sen. Sheldon Whitehouse (D-RI) that investor Carl Icahn never had excessive influence on US biofuels policy during his time as President Donald Trump’s adviser on regulation. The letter – which was a response to lawmakers’ repeated requests for information on Icahn’s “dual role” as a regulatory adviser and a majority stakeholder in the refining company CVR Energy – said that Icahn “was ‘one of many’ of Trump’s advisers that he met during his confirmation process.”

**ENERGY DEPARTMENT ANNOUNCES OBAMA’S SOLAR GOAL MET EARLY.** Bloomberg News (9/12, Natter, 4.52M) reports the Energy Department announced Tuesday that former President Obama’s goal of “slashing” the cost of solar power down to 6 cents per kilowatt hour “has been achieved early, taking credit for” a “milestone even though the new administration is skeptical of renewable power.” The department also “announced \$82 million in new funding for solar research.”

**POLITICO ANALYSIS: SILICON VALLEY LOSING FAVOR FROM BOTH LEFT AND RIGHT.** In an analysis, Politico (9/12, Scola, 3.6M) reports Silicon Valley’s technology companies “are increasingly drawing attacks from both the left and the right,” with Democrats “condemning” Facebook for permitting “fake news” and “Russia-linked ads” and with conservatives accusing Google of censoring right-leaning viewpoints. Politico highlights major critics and observes that heightened criticism is placing the tech sector at risk for tighter regulations.

**REP. DUNCAN PUSHES FOR GUN SILENCER PROVISION.** Politico (9/12, Bresnahan, 3.6M) reports that Rep. Jeff Duncan (R-SC) “is renewing his controversial push” to ease restrictions on the purchase of gun silencers by including a silencer provision in the House’s “Sportsmen Heritage and Recreational Enhancement Act.” Duncan “argues that silencers are used by hunters



and target shooters to limit potential hearing loss from gunfire," but gun control groups argue the provision "is opposed by many police organizations." Politico adds that there is "very little chance" Duncan's bill would pass the Senate, given Democratic opposition.

**Poll: Americans See Gun Policy As A Top Issue.** The Washington Free Beacon (9/12, Gutowski, 158K) reports a Wall Street Journal/NBC News poll released Thursday found that 35 percent of respondents "listed gun rights or gun control as the top issue they considered important enough to have an impact on their voting." The poll, which surveyed 1,200 adults between August 5 and 9, found that respondents "picked gun policy as important to their vote more often than any other issue surveyed," including environmental policy (30 percent), immigration (28 percent), and abortion (17 percent).

**PAIR OF WOMEN TESTIFY ABOUT MENENDEZ'S ALLEGED ROLE IN HELPING OBTAIN VISAS.** Several reports today focus on the third day of the federal corruption trial of Sen. Bob Menendez (D-NJ) and his longtime friend and political donor, Florida eye doctor Salomon Melgen. The AP (9/12, Porter) reports, "The alleged former Dominican girlfriend of" Melgen "testified Tuesday that her visa application was initially denied and then approved expeditiously after" Melgen "told her he would 'fix it' by reaching out to 'the senator.' Rosiell Polanco-Suera testified...Melgen said he was 'going to fix it' by talking to Menendez. She said that at the first visa interview in 2008, she and her sister, who also sought a visa, waited for hours and were treated abruptly. At the second interview, she said, they had little or no wait and the visa was approved that day." Drawing from the AP dispatch, The Federalist (9/12, Payton, 88K) also reported on Polanco-Suera's testimony.

Politico (9/12, Friedman, 3.6M) reported that "former [Melgen] girlfriend" Svitlana Buchyk, "who was in her early 20s when prosecutors say Menendez allegedly helped her secure a visa to visit the" US, also testified Tuesday. Buchyk, "who was born in the Ukraine and grew up in Spain, was one of four women – three of them 20-something girlfriends to the 63-year-old married Melgen – for whom Menendez...allegedly pressured officials to get visas in exchange for vacations, private jet flights and political donations." Buchyk "said she met Menendez...during her first visit to the US, over dinner at a Miami restaurant with him and Melgen. Prosecutor Peter Koski asked her if Melgen said anything at the dinner 'about the role that Senator Menendez played in helping you get your visa.'" Buchyk replied, in part, that "it was nothing but 'this is the person that helped you with your visa.'"

The New York Times (9/12, Corasaniti, Subscription Publication, 13.56M) reports, "Before the two women took the stand, the government introduced an email sent by Mark E. Lopes, a former senior policy adviser to Mr. Menendez, to Danny O'Brien, a former chief of staff, in November 2009, describing how Mr. Menendez was 'helping secure visas in the DR for Sal M.'" The Times adds, "In a portion of the email that was read aloud by Judge William H. Walls without the jury present during a discussion about whether it should be admitted as evidence, Mr. Lopes said that Mr. Menendez should not be calling ambassadors 'about stuff like this.' The email also began, 'Danny, taking this thread offline and removing RM.'"

**AT CONCERT, KID ROCK DENOUNCES RACISTS, MUM ON POSSIBLE SENATE RUN.** The Detroit News (9/12, Rahal, Hicks, Williams, 725K) reports, "Hometown rocker Kid Rock took the stage Tuesday" in Detroit at the opening of the new Little Caesars Arena, delivering "a profanity laced campaign-like speech marked by blasting the government for offering financial support for people 'who can't take care of themselves' yet have '(expletive) kid after kid.'" He "also denounced racists, saying: 'Stay the hell away.'" Kid Rock said, "Struggling single parents are an issue close to my heart. We should not reward those who can't take care of themselves but keep having kid after (expletive) kid. Of course, of course we should help them out. Let's do it with child care, child training and find them a (expletive) place to work." Kid Rock later added, "Nazis, (expletive) bigots and again the KKK, I say (expletive) all you racists, stay the hell away"

The Detroit Free Press (9/12, Gray, 1.07M) reports that Kid Rock, whose given name is Robert



Ritchie, made no announcement as to his plans of a potential 2018 challenge to Sen. Debbie Stabenow (D-MI), despite having hinted “for the last seven weeks that he was headed in that direction.” The Free Press adds that during the concert, Kid Rock “obliquely addressed the controversy surrounding black activists critical of his act. ‘I do believe we are all created equal. I’ll say it once and say it again, I love black people. And I love white people, too,’ he said. ‘But neither as much as I love red white and blue.’”

***Kid Rock Denied Press Credentials To Detroit Free Press.*** The Hill (9/12, Greenwood, 1.68M) reported that the Detroit Free Press was “denied a media credential for [the] Kid Rock concert Tuesday night.” The Hill said Kid Rock’s publicist, Kirt Webster, told “the newspaper that the decision to deny its reporters credentials was based on a negative column about the musician that the Free Press had published earlier this month. ‘You guys wrote a f----- up story and allowed it to be published,’ Webster told the Free Press over the phone on Monday.” Kirt added, “To be published without doing any fact checking on what Kid Rock has done for the city of Detroit? We don’t condone bad behavior. We won’t reward bad behavior.” The Hill added, “The column, authored by Free Press editorial page editor Stephen Henderson, call[ed] the decision to book Kid Rock as the inaugural performance at Detroit’s new Little Caesars Arena a ‘middle finger to Detroiters.’”

#### **CRUZ SAYS AIDE INADVERTENTLY LIKED PORN TWEET ON SENATOR’S TWITTER**

**ACCOUNT.** The AP (9/12, Taylor) reports that Sen. Ted Cruz (R-TX) on Tuesday said “an aide was responsible for the ‘like’ that caused a pornographic post to briefly appear on Cruz’s Twitter feed overnight.” Cruz said “several aides have access to the account and that one inadvertently posted the pornography. Cruz told reporters that ‘it was a staffing issue and it was inadvertent. It was a mistake. It was not a deliberate action.’” Cruz declined to “say whether he’ll fire the staff aide or deny the aide access to his social media accounts, though he noted that the aide did not act maliciously.”

The Washington Post (9/12, O’Keefe, Selk, 10.38M) reports that Cruz “woke up Tuesday to find his name trending on Twitter – linked overnight to a certain video from the ‘Milf Hunter’ series, perhaps unfairly, perhaps irrevocably.” Speaking with reporters, Cruz “said ‘a number of people’ in his office had access to account.” Cruz was asked a couple of times “if he himself was the liker. ‘No,’ Cruz said quietly as he finally walked away.”

Politico (9/12, Nelson, Everett, 3.6M) quoted Cruz as saying, “There are a number of people on the team who have access on the account. It appears that someone inadvertently hit the like button. When we discovered the post, which was I guess an hour or two later, we pulled it down.” Cruz added, “It was a staffing issue. And it was inadvertent, it was a mistake. It was not a deliberate act. We’re dealing with it internally, but it was a mistake. It was not malicious.”

USA Today (9/12, Estepa, 8.62M) reported, “By early Tuesday, the tweet was removed from” Cruz’s “likes and reported to Twitter by staff, according to his senior communications adviser. ‘The offensive tweet posted on @tedcruz account earlier has been removed by staff and reported to Twitter,’ adviser Catherine Frazier said on Twitter. Still, the damage was done. Screenshots of the tweet appearing in Cruz’s like were already taken, and the senator was trending on Twitter later that morning.”

***Rolling Stone Profiles Cruz’s Democratic Challenger, O’Rourke.*** Meanwhile, writing for Rolling Stone (9/12, Stuart, 4.66M), Tessa Stuart profiled Rep. Beto O’Rourke (D-TX), who is seeking to unseat Cruz in 2018, saying that before entering the contest, the Democrat “was a fairly low-profile member of the House. Few people knew of his crusade to combat gang violence by legalizing marijuana, or the years he spent playing bass with Cedric Bixler-Zavala (now a member of the Mars Volta and At the Drive-In) in their old punk band Foss. That started to change last summer, after Speaker Paul Ryan ordered C-Span cameras turned off during Democrats’ 25-hour sit-in to protest inaction on gun control, and O’Rourke launched his own broadcast on Facebook Live.” Stuart added, “Besides supporting limits on guns, O’Rourke, who is



44, is pro-choice and a vocal advocate for comprehensive immigration reform.”

**POLL SHOWS ROMNEY FARING MUCH BETTER THAN HATCH IN HYPOTHETICAL 2018 RACE.** Utah Policy (9/11, Webb, Schott) reported that a Dan Jones & Associates poll of 608 Utah voters, taken Aug. 30-Sept. 5, shows that Mitt Romney (R) “runs much stronger than other Republican candidates against” Salt Lake County Councilwoman Jenny Wilson (D-UT) in hypothetical 2018 Senate matchups. According to the poll, Romney leads Wilson 64%-26%; Rep. Chris Stewart (R-UT) leads Wilson 34%-30%; Wilson leads Utah Valley University President Matt Holland (R) 30%-23%; and Wilson leads Sen. Orrin Hatch (R-UT) 45%-34%. The poll was commissioned by Utah Policy. Hatch has yet to say whether he’ll seek reelection next year. The other Republicans tested in the poll have either indicated or are reportedly considering bids, if Hatch opts to retire. Wilson, the Democrat, is an announced candidate.

The Salt Lake (UT) Tribune (9/11, Burr, Gehrke, 337K) reported that Hatch’s “office dismissed the poll as old news, noting the senator has yet to say whether he will seek another term. ‘As much as we love to support our local media outlets, this is the third or fourth time we have seen this same report without any new sources or any new information,’ said Hatch spokesman Matt Whitlock. ‘Nothing has changed. Senator Hatch is focused on the critical work of the Senate, and he plans to make a final decision by the end of the year.’”

**POLITICAL ANALYST: GOP HOUSE RETIREMENTS “STILL BELOW THE HISTORICAL AVERAGE.”** Under the headline “GOP Retirements May Open Door For Democrats In 2018,” the Washington Times (9/12, Persons, 541K) reports, “A slew of Republican House retirements in recent weeks has left the GOP wondering whether it will be able to defend open seats in swing districts – and Democrats saying President Trump has poisoned the upcoming election for vulnerable Republicans.” In recent days, Reps. Charlie Dent (R-PA), Dave Reichert (R-WA), and David Trott (R-MI) have announced they won’t seek reelection next year. Those “retirements follow other announcements by a series of senior Republicans”: Reps. John Duncan Jr. (R-TN), Sam Johnson (R-TX), and Ileana Ros-Lehtinen (R-FL). However, political analysts “said the retirements are normal. ‘By the numbers we’re still below the historical average, so until we get close to exceeding that number, it’s tough to draw a grander conclusion,’” Inside Elections editor Nathan Gonzalez told the Times.

***Targeted GOP Members Push Back On Speculation They Won’t Seek Reelection.*** The Hill (9/12, Marcos, 1.68M) reported that several GOP House members “expected to be heavily targeted by Democrats in next year’s midterm elections pushed back Tuesday on speculation that they might retire.” Rep. Pete Sessions’ (R-TX) “campaign tweeted Tuesday that he is ‘[h]onored to represent #TX32. To my friends who think I’m hanging it up, as we say in #TX, Come and Take It. Rumors are completely false.’” Rep. Ed Royce (R-CA) “meanwhile, ‘is 100 percent running for reelection,’ an aide told The Hill.” And Rep. Leonard Lance (R-NJ) “also told The Hill last week that he plans to run for reelection.”

**STEYER’S GROUP DONATES \$1M TO VIRGINIA IMMIGRANT ADVOCATES TO MOBILIZE VOTERS.** The Washington Post (9/12, Olivo, 10.38M) reports that billionaire environmentalist Tom Steyer “is giving \$1 million to immigrant advocates in Virginia to mobilize voters in November’s state elections.” The donation “by Steyer’s super PAC, NextGen America, aims to tap into voter resentment over President Trump’s immigration policies, in particular the travel ban against immigrants from six Muslim-majority countries and plans to phase out an Obama administration program that protected from deportation 800,000 undocumented immigrants who arrived here illegally as children. It follows a \$2 million effort announced by the group last month to” boost Lt. Gov. Ralph Northam (D-VA) in this fall’s race to succeed term-limited Gov. Terry McAuliffe (D-VA) “by targeting millennial voters and emphasizing climate change as an issue.”

**SPECULATION GROWS ABOUT WHETHER CORDRAY WILL RUN FOR OHIO GOVERNOR.** In a report on the 2018 race to succeed term-limited Gov. John Kasich (R-OH), The Hill (9/12, Lane, 1.68M) focused on what it described as “a guessing game in Washington: Is Richard



Cordray running or not? The director of the controversial Consumer Financial Protection Bureau (CFPB) is said to be mulling a run "and could announce his plans at any moment. But there's a catch. Federal law prevents Cordray, a Democrat, from campaigning while he serves as director of the CFPB," leaving "lawmakers, reporters and industry lobbyists to scrounge for clues about his intentions. Leaders of congressional committees and trade groups that interact frequently with Cordray speculate that his relaxed demeanor in recent meetings indicates he's headed out the door." At the same time, "Republicans and business groups that have long sought to rein in Cordray and the CFPB are convinced a recent uptick in bureau action shows the director is trying to finish up several high-profile rules before he steps down."

**GOP STATE AG SCHUETTE ENTERS 2018 MICHIGAN GOVERNOR'S RACE.** The AP (9/12, Eggert) reports that state Attorney General Bill Schuette (R-MI) on Tuesday launched a 2018 run to succeed term-limited Gov. Rick Snyder (R-MI), "entering as the Republican front-runner" with a vow "to be a 'jobs governor' who will cut income taxes and high auto premiums and not accept that Michigan's best economic days are in the past." Schuette joins state Sen. Patrick Colbeck (R-MI) and Dr. Jim Hines (R) in the GOP primary. Lt. Gov. Brian Calley (R-MI) "is weighing a bid."

The Detroit Free Press (9/12, Egan, 1.07M) reports that in announcing his run, Schuette vowed "that if elected he would cut state income taxes, push Congress to repeal the Affordable Care Act, and bring the state more and better-paying jobs." Schuette "said the November 2018 election will present Michigan voters with a choice of continuing economic recovery or a return to the 'lost decade' of the lengthy recession that ended late in 2009, which" he "associated with the leadership of former Democratic Gov. Jennifer Granholm. 'We must have a governor who won't accept the fate assigned to us by the liberal elite, who look down on manufacturing,' Schuette said."

**DEMOCRAT MCCABE LAUNCHES 2018 BID TO OUST GOV WALKER.** The AP (9/12, Bauer) reports that "political activist" Mike McCabe (D) on Tuesday announced that he will seek to oust Gov. Scott Walker (R-WI) in 2018, "casting himself as an outsider from the left who will shake up the establishment." McCabe, who joins state Schools Superintendent Tony Evers (D-WI), businessman Andy Gronik (D), and state Rep. Dana Wachs (D-WI) in the Democratic primary, "said in an interview that as governor he would restore collective bargaining rights lost under...Walker, push for a public option state-run health insurance program for all and advocate for as close to a \$15 minimum wage as possible."

The Milwaukee Journal Sentinel (9/12, Marley, 628K) reports that McCabe "is staking out turf on the left end of the Democratic spectrum, campaigning for 'a living wage for every worker, health care for all, debt-free education and job training, and high-speed internet to every doorstep.' For 15 years, McCabe was the face of the Wisconsin Democracy Campaign, a group that lobbies for having taxpayers finance political campaigns to reduce the influence of special interests." He "left the Democracy Campaign in 2015 and founded Blue Jean Nation, a group aimed at helping everyday people challenge the political establishment."

**DE BLASIO EASILY WINS DEMOCRATIC PRIMARY.** On its front page, the New York Times (9/12, Neuman, Subscription Publication, 13.56M) reports that New York City Mayor Bill de Blasio (D) "coasted to a decisive win on Tuesday in the Democratic primary," moving "closer to securing a second term. Facing a group of underfinanced, little-known rivals, Mr. de Blasio received 74 percent of the vote." He "will now focus on the general election, on Nov. 7, when he will face" Assemblywoman Nicole Malliotakis (R) and ex-police detective Bo Dietl, who is "running as an independent."

**FERGUSON DROPS CHARGES AGAINST FRED WATSON.** The New York Times (9/12, Williams, Subscription Publication, 13.56M) reports the city of Ferguson this week "abruptly dropped its prosecution" against Fred Watson, the man whose arrest and story "was detailed in a Department of Justice report on Ferguson's criminal justice system that followed the 2014 fatal police shooting of Michael Brown." The city's decision to drop charges came "without explanation"



after “five years of pursuing a host of minor charges” against Watson.

**DOJ WON'T CHARGE OFFICERS IN FREDDIE GRAY CASE.** The Baltimore Sun (9/12, Rector, 706K) reports the Justice Department issued a statement Tuesday that it will not bring charges against Baltimore police officers “in connection with the death of 25-year-old Freddie Gray from injuries sustained in police custody in 2015.” The statement said the department reached its decision after “an extensive review of this tragic event, conducted by career prosecutors and investigators.”

**SEATTLE MAYOR RESIGNS AFTER FIFTH SEXUAL ABUSE ALLEGATION.** The Seattle Times (9/12, Brunner, Beekman, 1.08M) reports that Seattle Mayor Ed Murray resigned Tuesday hours after a fifth man, a cousin of the mayor, “made public allegations Murray molested him when he was a child.” In his resignation statement, Murray said, “While the allegations against me are not true, it is important that my personal issues do not affect the ability of our City government to conduct the public’s business.”

**LOUDERMILK, WIFE RECOVERING FROM CAR ACCIDENT.** The Atlanta Journal-Constitution (9/12, Hallerman, 1.16M) reports Rep. Barry Loudermilk’s office said he and his wife are, in the Journal-Constitution’s words, “recovering from non-life-threatening injuries after” their car was rear ended, “which caused their car to veer off the road and flip multiple times.”

**AFTER MORE THAN 20 YEARS, NEWARK EXPECTED TO REGAIN CONTROL OF ITS SCHOOLS.** The New York Times (9/12, Chen, Subscription Publication, 13.56M) reports the New Jersey State Board of Education “is expected on Wednesday to approve a plan that would ultimately give Newark control again over its public schools with their almost \$1 billion budget and 55,000 students.” If the plan is approved, the decision would come more than 20 years after the state seized control of Newark public schools after a judge warned that “nepotism” and “cronyism” had caused “abysmal” student performance.

**NEARLY 50 LAWSUITS FILED AGAINST EQUIFAX.** NBC Nightly News (9/12, story 5, 2:25, Holt, 16.61M) reported that “nearly 50 lawsuits” already have been filed in federal court against Equifax over its data breach, “including a multi-billion dollar class action suit.” Additionally, 36 senators on Tuesday “called for federal investigations into three Equifax executives who sold stock before the breach went public although the company has said they didn’t know of the breach.”

The CBS Evening News (9/12, story 5, 2:10, Mason, 11.17M) reported that Eva Velasquez of the nonprofit Identity Theft Resource Center is telling concerned individuals that the “best option” to help stop immediate identity theft is a credit freeze. She said, “The credit freeze will lock the criminals out of opening financial accounts in your name. ... It really is worth that little bit of inconvenience in order to basically lock it down and keep the thieves out.”

**SAME-SEX MARRIAGE ADVOCATE EDIE WINDSOR DIES AT 88.** USA Today (9/12, Wolf, 8.62M) reports “Edie Windsor, the New York octogenarian whose Supreme Court victory in 2013 forced the federal government to recognize same-sex marriage and led to its legalization two years later, died Tuesday” at the age of 88. “Before and particularly after her court victory,” USA Today says, “Americans came to learn about Windsor and Thea Spyer’s long march toward matrimony, encumbered by Spyer’s 30-year battle with multiple sclerosis and culminating in their unlikely wedding trip to Canada in 2007.”

**MILBANK: REPUBLICANS WILL ALWAYS OWN TRUMP.** In his Washington Post (9/12, 10.38M) column, Dana Milbank writes that Republican frustration with President Trump’s decision to craft a debt ceiling agreement with Democrats comes after Republicans have tolerated what Milbank describes as many indefensible things, including Trump’s firing of FBI Director Comey “in an effort to thwart the FBI’s Russia probe,” boasting about “groping women,” attacking racial and religious minorities and labeling women “all manner of vulgarities.” Milbank concludes that even



"if Republicans disown Trump now, they still own all the previous Trump actions over which they failed to break with him in any meaningful way."

**POSNER: TRUMP COULD BE REMOVED FOR POLITICAL INCOMPETENCE UNDER REVISED 25TH AMENDMENT.** In a Washington Post (9/12, 10.38M) op-ed, University of Chicago Law professor Eric Posner writes that President Trump's presidency "has exposed a defect in our constitutional system" in that a president cannot be removed from office, under the current understanding of the 25th Amendment, if he "has lost the confidence of the public because of a failure of temperament, ideology or ability." Posner argues that the 25th Amendment "should be enlarged so as to provide authority to address this problem, through creation of a Presidential Oversight Council empowered to recommend removal of the president on political rather than medical grounds."

**WSJOURNAL'S RILEY: DEVOS SHOULD SCRAP OBAMA-ERA SCHOOL DISCIPLINE GUIDANCE.** In his Wall Street Journal (9/12, Subscription Publication, 6.45M) column, Jason L. Riley writes that in addition to addressing campus sexual assault policy, Education Secretary DeVos also should discard another Obama-era policy that targets schools that have racially disparate results in their student discipline cases. Riley argues that the policy, stemming from a 2014 Education Department guidance letter, is causing chaos in classrooms as schools struggle to handle unruly students.

**IGNATIUS: MEDIA SHOULD BRING BACK THE OMBUDSMAN.** In his Washington Post (9/12, 10.38M) column, David Ignatius writes that news organizations can address flagging public trust in the media by bringing back an "in-house ombudsman or public editor to represent readers and viewers." Ignatius argues that ombudsmen – however burdensome to media outlets – provide a check against biased reporting by second-guessing editors, challenging particular coverage, and advocating "ideas of fairness that some people think are outmoded."

### **Editorial Wrap-Up:**

**NEW YORK TIMES. "Senators In Search Of A Foreign Policy."** In an editorial, the New York Times (9/13, Board, Subscription Publication, 13.56M) outlines a "range of problems facing the United States abroad," and laments "a robust foreign policy led by a reinvigorated State Department that right now is suffering from presidential neglect, poor leadership and an absence of professional firepower in pivotal positions." The Times says Sens. Lindsey Graham and Patrick Leahy, two lawmakers who "understand the urgency of helping" the State Department "recover from the damages inflicted by" President Trump, have "won unanimous committee approval for a \$51 billion bill for the State Department and foreign aid, about \$11 billion more than the administration requested." Because there "is no sign that Mr. Trump and his team understand its core mission and its importance in a turbulent world," the Times argues, "The rest of Congress should ensure that a strong version of it becomes law."

**"How Not To Sustain Prosperity."** Citing the 2016 Census report, a New York Times (9/13, Subscription Publication, 13.56M) editorial says "President Trump clearly inherited an economy on the upswing," but "The question is whether his administration and the Republican-controlled Congress will sustain the momentum, or even reverse it." The Times explains that despite the economy's improvement, "broad prosperity remains elusive," but "Republican policy makers seem determined to undo the progress that has been made." For example, the Times says, the Administration "opposed Obama-era rules to update the nation's overtime-pay protections for salaried workers, arguably the single most important policy option to raise middle-class pay," and both Trump and the House Budget Committee "issued budget proposals for 2018 that call for deep spending cuts to safety-net programs." These "giant steps backward," the Times argues, would result in "greater income inequality" by shifting "income up the economic ladder."

**WASHINGTON POST. "The Supreme Court Should Strike Down Wisconsin's Gerrymandering."** The Washington Post (9/12, 10.38M) editorializes that the Supreme Court



"has long kept a distance from arguments over gerrymandering," but early next month, "the justices will hear a challenge to the 2011 redrawing of Wisconsin's state legislative map by Republican lawmakers – a demonstration of how increasingly powerful technology allows partisan mapmakers to distort representation with ever-greater precision." The Post adds that "using computer modeling, Wisconsin's Republican-controlled legislature produced districts so unbalanced that, in 2012, Republicans won a supermajority in the state assembly even after losing the popular vote." The Post argues that "while the question of just where to draw the line between acceptable and unconstitutional partisan gerrymanders may be far from simple in many instances, Wisconsin's is an extreme case," and contends that "the judiciary cannot and should not be the sole solution to this crisis, but it has a valuable role to play in reassuring Americans that their votes matter."

**"Tom Price Decides He Doesn't Want Medicare To Save Money."** In an editorial, the Washington Post (9/12, 10.38M) laments "the coming crisis" if Medicare is not reformed and says "waste scored a victory when Health and Human Services Secretary Tom Price decided to stop or scale back 'bundled payment' experiments the Obama administration had begun." Under the program, hospitals would be given "a flat payment covering the duration of a procedure and recovery." Those "whose costs came in under the fee could keep the difference. Those whose did not would lose money." The Post argues that "Price should be expanding the programs he is trying to end."

**"Metro Gets A Sudden Lifeline."** A Washington Post (9/12, 10.38M) editorial.

**WALL STREET JOURNAL. "How Florida Saved Taxpayers"** The Wall Street Journal (9/12, Board, Subscription Publication, 6.45M) editorializes that reforms undertaken by taxpayer-backed Citizens Property Insurance Corp. have allowed it to cover all the claims from Hurricane Irma. Next, the Journal urges Florida to move on tort reform before the next big hurricane hits the state.

**"The Al Franken Standard."** In an editorial, the Wall Street Journal (9/12, Subscription Publication, 6.45M) writes that in light of Sen. Al Franken's recent announcement that he will refuse to return his blue slip on the nomination of a judge to the Eight Circuit, Judiciary Chairman Chuck Grassley should suspend Sen. Franken's blue slip. The Journal contends that Grassley has full authority to suspend the blue slip tradition on a case-by-case should senators obstruct the nomination process.

**"Joseph Rago And A Disease Called Sarcoidosis."** A Wall Street Journal (9/12, Board, Subscription Publication, 6.45M) editorial.

## **The Big Picture:**

### **HEADLINES FROM TODAY'S FRONT PAGES.**

#### **Wall Street Journal:**

Goldman Banks On Lending To Grow

Herculean Task As Crews Race To Restore Power

Apple Unveils New iPhone X To Fend Off Growing Competition

There's A Speeding Mass Of Space Junk Orbiting Earth, Smashing Into Things

#### **New York Times:**

Amid Chaos Of Storms, US Shows It Has Improved Its Response

South Korea Plans 'Decapitation Unit' To Try To Scare North's Leaders

White House Weighs Lowering Refugee Quota To Below 50,000

Median US Household Income Up For 2nd Straight Year

Edith Windsor, Whose Same-Sex Marriage Fight Led To Landmark Ruling, Dies At 88

De Blasio, Seeking Second Term, Wins An Easy Victory

After More Than 20 Years, Newark To Regain Control Of Its Schools



***Washington Post:***

Paychecks Hit High For Middle Class

Push For Tax Cuts Runs Into Old Problem: A Divided GOP

Apple Edges Closer To Fraught Age Of Facial Recognition Tech

42 Years Later, A Guilty Plea In Murder Of Md. Sisters

Florida Prepares For Days — And Maybe Weeks — Without Power

After Irma, A Former Gem In The US Virgin Islands Is Reduced To A Wasteland

***Financial Times:***

UK Cites Fox News As Hurdle To Rupert Murdoch's Sky Deal

Thousands Protest In France Against Macron's Labour Reforms

North Korea's Opaque Trading Network Keeps Economy Afloat

South Africa Businesses Under Pressure To Cut KPMG Ties

***Washington Times:***

Liberals With Eye On Presidency Rush To Support Sanders's 'Medicare For All' Bill

Trump Punishes Sanctuary Countries, Halts Visas For Nations That Refuse To Cooperate On Deportations

Islamic State's Rumiyah Magazine Glosses Over Losses To Boost Terrorist Morale

Stunning Testimony: Voting Machines Can Be Hacked Without A Trace Of Evidence

Ken Burns Goes Back To War: Vietnam Documentary Tells Uneasy Story From All Sides

***Story Lineup From Last Night's Network News:***

**ABC:** Hurricane Irma-Florida Keys; Hurricane Irma-Utility Damage; Hurricane Irma-Caribbean; Hurricane Jose-Forecast; Hurricanes-Vehicle Damages; Baltimore Police Violence Trial; Steve Bannon Interview-Comey Firing; Maryland Abduction Cold Case; Apple-New Product Announcement; California-Street Vendor Police Bribery; Parking Lot Plane Crash; Edith Windsor Dies; Hurricane Irma-Recovery.

**CBS:** Hurricane Irma-Florida Keys; Hurricane Irma-Utility Damages; Hurricane Irma-Caribbean; Hurricane Harvey-Recovery; Equifax-Cyber Security Breach; Russia Meddling-Special Council Investigation; New Hampshire Police Violence Investigation; Edith Windsor Dies; Parking Lot Plane Crash; Apple-New Product Announcement.

**NBC:** Hurricane Irma-Florida Keys; Hurricane Irma-US Navy Rescue Missions; Hurricane Irma-Utility Damages; Hurricane Irma-Caribbean; Equifax-Cyber Security Breach; Edith Windsor Dies; Menopause-Hormone Therapy Safety; Parking Lot Plane Crash; Trump-Grand Child; Sleeping Together With Dog; Apple-New Product Announcement.

***Network TV At A Glance:***

Hurricane Irma – 29 minutes, 20 seconds

Apple-New Product Announcement – 4 minutes, 50 seconds

Equifax-Cyber Security Breach – 4 minutes, 35 seconds

***Story Lineup From This Morning's Radio News Broadcasts:***

**ABC:** Hurricane Irma; Baltimore Police Violence Trial; Philadelphia Amtrak Crash Trial.

**CBS:** Hurricane Irma; UN-North Korea Sanctions; Edith Windsor Dies; Apple-New Product Announcement; Wall Street News.

**FOX:** Trump-Tax Reform; Hurricane Irma; Amazon HQ-Boston.

**NPR:** Hurricane Irma; Macron-Caribbean Aid Pledge; Sen. Sanders-Healthcare Bill; Trump-Tax Reform; Seattle Mayor Resigns.

**Last Laughs:****LATE NIGHT POLITICAL HUMOR.**

**Jimmy Kimmel:** "Hillary Clinton's new book came out today. It is called 'What Happened.' That's not a joke. That's what it is called. This is why Hillary lost. A real President doesn't write books."



They write tweets."

**James Corden:** "Texas Senator Ted Cruz is coming under fire because, late last night, his official Twitter account liked a pornographic video. So, if you ever meet Ted Cruz on the campaign trail, you might want to think twice before shaking that hand."

**Trevor Noah:** "Everyone is freaking out about this and calling it a possible scandal all because a politician may have watched porn. Come on, people. No big deal. Everyone watches porn. Alright? It's part of being a norm human being, which is exactly why we know Ted Cruz didn't do it."

**Jimmy Fallon:** "I guess Hillary Clinton's book 'What Happened' came out today, and I heard that it's almost 500 pages long. Unfortunately, the only person with enough time to read it is Hillary Clinton."

**Seth Meyers:** "Hillary Clinton's new book titled 'What Happened' was released today, as was Putin's new book 'Me.'"

**Seth Meyers:** "President Trump will reportedly visit China in November. 'Oh, can you pick up my handbags?' asked Ivanka."

**Conan O'Brien:** "On Twitter last night, someone discovered that Republican Senator Ted Cruz liked a tweet from a porn account. As you can imagine, that was one very embarrassing day for that porn account."

**Conan O'Brien:** "The new iPhone will be able to track stair climbing and mountain hiking. The big question is, will it have any features for Americans?"

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<b>Date:</b>	2017/09/13 10:53:07
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To ACF Senior Leadership-

Attached are the **July and August** reports of the Office of Regional Operation's (ORO) work on state relations, partnerships, and cross-program technical assistance. In the last two months, Regional Administrators have visited and met with at least 17 state and territory human services commissioners and their senior staff to learn about their key priorities and needs from ACF. The reports also highlight state policy and budget updates, including a number of new laws and initiatives related to child welfare, early childhood, and homelessness. Regions continue to work on strengthening state relationships, building and expanding public-private partnerships, and sharing state and local innovations.

In addition, ORO continues to work closely with OHSEPR and Program Offices to provide daily Executive Briefing reports for leadership regarding Emergency Response activities for Hurricane Harvey and Hurricane Irma.

We greatly appreciate the partnership with staff from all the Program Offices. If you should have any questions, do not hesitate to call on us.

Regards,

Melissa Lim Brodowski  
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<b>Delivered Date:</b>	2017/09/13 10:53:07



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<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"
<b>Subject:</b>	Last officially approved NERP
<b>Date:</b>	2017/09/15 08:16:08
<b>Priority:</b>	Normal
<b>Type:</b>	Note

FYI,

Scott,

Attached, please find the last officially approved NERP (in 2016). The revision of the NERP and the development of the Ebola (EVD) annex were part of an NSC effort in 2014. We worked with all the agencies listed on page #4-5 (except ARC) to clear this document through their ExecSecs. Clearance process included HHS StaffDivs and OpDvids. Former ACF Assistant Secretary and all applicable ACF Divisions, also reviewed and approved this plan. See the command structure on page # 13.

Federal privileged information was removed from this document before sending to all the states in 2016.

v/r,

Elizabeth

CDR Elizabeth B. Russell  
Coordinator, U.S. Repatriation Program Coordinator and  
Emergency Management Coordinator for Refugee Programs  
U.S. Department of Health and Human Services  
Administration for Children and Families  
Office of Refugee Resettlement  
Mary E. Switzer Building, 330 C ST SW, Room 5123  
Washington, DC 20201  
Tel: (202) 401-4845, BB (b)(6)  
e-mail: [Elizabeth.russell@acf.hhs.gov](mailto:Elizabeth.russell@acf.hhs.gov)  
HSDN/SIPR [elizabeth.russell@dhs.gov](mailto:elizabeth.russell@dhs.gov)

Please note change of BB#

<b>Sender:</b>	Russell, Elizabeth (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=916D756F38964634BBA542D79F1E1E30-RUSSELL, EL>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Moreno, Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"
<b>Sent Date:</b>	2017/09/15 08:16:05
<b>Delivered Date:</b>	2017/09/15 08:16:08



<b>From:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
<b>To:</b>	"ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"
<b>Subject:</b>	ORR Weekly Litigation Update
<b>Date:</b>	2017/09/22 08:00:27
<b>Priority:</b>	Normal
<b>Type:</b>	Note

I have attached this week's litigation update.

**UAC litigation.** In *Flores* (bond hearings), on 9/15, the 9<sup>th</sup> Circuit ordered that the case is not selected for inclusion in the Mediation Program (counsel may contact circuit mediator to discuss services). Also, on 9/19, the Acting Solicitor General determined the United States would not seek en banc review of the July 5 decision by the 9<sup>th</sup> Circuit.

**Refugee litigation.** No updates this week.

**UAC bond hearings.**

- There are currently 21 outstanding bond hearing requests. Of these:
  - 1 hearing is scheduled for the Arlington court on October 18.
  - ORR is responding today to a scheduling notice for a bond hearing received from the San Francisco court.
  - Due to administrative problems at the New York court, ORR is re-filing motions, but must first receive confirmation from the court that the cases have been properly moved to that venue and have a judge assigned.
  - ORR will next file cases in San Antonio, TX and Portland, OR (2 in Portland mailed this week)
- Since last week, ORR argued two bond hearings:
  - San Francisco, CA (telephonically). ORR submitted a letter signed by the Director indicating ORR did not consider the minor to be a danger. The judge made a ruling consistent with that letter.
  - Arlington, VA. The judge continued the case to October, advising either transfer to another care provider facility or release by that time.
- **To date there have been:**



- 5 hearings resulting in IJ decisions. In all cases the judges agreed with ORR.
- 16 UACs who requested bond hearings but subsequently withdrew their requests
- 1 UAC who requested a bond hearing, but due to insufficient notice to ORR the court declined to provide the hearing and instead scheduled a Master Calendar Hearing.
- 10 UACs who requested bond hearings but no longer require them because they are no longer in ORR custody (e.g., because they were subsequently reunified with a sponsor, were ordered removed, aged out, etc.).

<b>Sender:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
<b>Recipient:</b>	"ORR Senior Leadership </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9ae7725edbe4de7b80993878a4742ca-ORR Senior>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"
<b>Sent Date:</b>	2017/09/22 08:00:23
<b>Delivered Date:</b>	2017/09/22 08:00:27

<b>From:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"
<b>Subject:</b>	Fwd: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC Mejia-Lopez, D.G. XXX-XXX-535)
<b>Date:</b>	2017/09/22 13:50:19
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

Direction provided again to IES program per your instructions.

Jonathan

Jonathan White  
 Commander, US Public Health Service  
 Deputy Director for Children's Programs  
 Office of Refugee Resettlement  
 Administration for Children and Families  
 Jonathan.White@acf.hhs.gov

(b)(6)

---

**From:** "Bartholomew, Michael (ACF)" <Michael.Bartholomew@acf.hhs.gov>  
**Subject:** FW: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC  
 (b)(6)  
**Date:** 22 September 2017 13:43  
**To:** "De LA Cruz, James (ACF)" <James.DeLACruz@acf.hhs.gov>, "Gonzalez, Jose (ACF)" <Jose.Gonzalez@ACF.hhs.gov>, "White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov>

Per your instruction

Michael L. Bartholomew, M.D., FAAP  
 CDR, U.S. Public Health Service  
 Director, Division of Health for Unaccompanied Children (DHUC)  
 Unaccompanied Children Programs  
 Office of Refugee Resettlement  
 Administration for Children and Families  
 U.S. Department of Health and Human Services  
 Mary E. Switzer Building  
 330 C St SW, MS 5123  
 Washington, DC 20201



Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** Bartholomew, Michael (ACF)  
**Sent:** Friday, September 22, 2017 1:43 PM  
**To:** 'Jessica Martinez'; De LA Cruz, James (ACF)  
**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); (b)(6) White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF); Gonzalez, Jose (ACF)  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))  
(b)(6)

Good Afternoon,

Thank you for your email. Please let ORR know when an appointment has been made for the options counseling. Please ensure that the child receives all emotional / psychological support that she might need to work through her thoughts and emotions during what is certainly a difficult time.

I have spoken to leadership. To clarify, the program is not authorized to take her to receive termination services, or to any appointments that would prepare her for a termination, without consent from the Director. ORR Director consent cannot happen without written and notarized consent of her parents. Program should proceed with life-affirming options counseling and notification to the parents of the pregnancy and the request for termination, if still desired.

If you have any further questions, please feel free to contact ORR.

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
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Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]  
**Sent:** Wednesday, September 20, 2017 5:20 PM  
**To:** Bartholomew, Michael (ACF); De LA Cruz, James (ACF)  
**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); (b)(6) White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF)

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

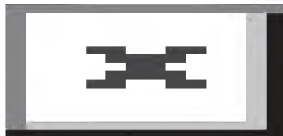
Good Afternoon Dr. Bartholomew, thank you for your prompt guidance.

We will proceed as directed and ensure to keep ORR up-to-date. Please note, at this time UAC continues to voice she does not wish to disclose pregnancy to her parents whom reside in home country (GU). To our knowledge and according to UAC she has no "next of kin" residing in the U.S. Potential sponsor and minor's POC in U.S. was an unverified "aunt" who declined to sponsor, there has been no further contact between care provider and this individual. Assigned Clinician will continue working closely with UAC with the hope that she will reconsider, at this point are there any other actions care provider must take due to the UAC being unwilling to proceed with parental notification?? We will be sure to inform ORR once appointment is secured, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**

(b)(6)@iestex.org



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---

**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]

**Sent:** Wednesday, September 20, 2017 3:44 PM

**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF)  
<James.DeLACruz@acf.hhs.gov>

**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; Claudia Gonzalez-Rivera  
<crivera@iestex.org>; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor,



Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)@iestex.org;  
White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC  
<DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades,  
Lara (ACF) <Lara.Misegades@acf.hhs.gov>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon,

I have discussed this email with leadership.

In these particular situations, the child should seek spiritual counseling, options counseling, and parental notification via a family session.

Counseling can be provided at :

Pregnancy Center of the Coastal Bend	4730 Everhart St	Corpus Christi	TX
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Please notify ORR when these services have been provided.

I have added Mr. De La Cruz in case he has additional guidance

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
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Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]

**Sent:** Tuesday, September 19, 2017 8:11 PM

**To:** ORR DHUC

**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF) (b)(6)

**Subject:** [WARNING : MESSAGE ENCRYPTED] FW: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

**Importance:** High

Good Evening,

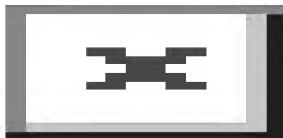
Please be advised that IES LF Shelter has a 17-year-old female UAC (b)(6) (b)(6) from Guatemala in care (DOE 9/7/17) whom is inquiring about the possibility of terminating pregnancy. On 9/18/17 UAC disclosed to assigned Clinician that she did not wish to continue her pregnancy, she shared she wished to end her pregnancy and return to home country as she has no viable sponsor options. UAC attended initial OB/GYN appointment on 09/11/2017 at RGV Women's Health Center-Harlingen with (b)(6). An intrauterine pregnancy was confirmed by an OB sonogram Gestation is +/- 9 weeks. UAC did not share her thoughts with obstetrician during visit.

Please note, (b)(6) (obstetrician) and PCP (b)(6) are not currently aware UAC is seeking to terminate pregnancy, at this time the UAC has only shared this information with her assigned Clinician. In addition, care provider has not reached out to any community medical providers regarding minor's request, no appointment for the procedure/service has been made. This information has been elevated to designated ORR FFS and a Significant Incident Addendum (Event# 106940) has been submitted with regards to UAC's request for above referenced medical service. At this time care provider is reaching out to ORR Medical team in the hopes of obtaining procedural guidance regarding minor's specific request. Please advise on how to proceed with minor's request for this heightened medical service, thank you, we will wait for further guidance.

\*Password for attachment will follow in separate email, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**  
(b)(6) @iestex.org



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<b>Sender:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"
<b>Sent Date:</b>	2017/09/22 13:50:19

<b>From:</b>	Haron, Judith (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER78F5296F>
<b>To:</b>	"White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "Suh, Victor (HHS/OGC) (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d405522c35ef4b90a7c40ba649bd9d82-Suh, Ga-Yoo>"; "Keith, Robert (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=df51780496d448889d319015fe90059c-Keith, Robe>"; "Woolford, Llewellyn (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usera4119958>"
<b>Subject:</b>	FW: Unaccompanied minor access to abortion - urgent concern
<b>Date:</b>	2017/09/22 15:55:33
<b>Priority:</b>	Normal
<b>Type:</b>	Note

fyi

- Judy Haron -  
Deputy Associate General Counsel  
Children, Families and Aging Division  
HHS Office of the General Counsel  
(202) 690 8005

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---

**From:** Phipps, Peter (CIV) [mailto:Peter.Phipps@usdoj.gov]  
**Sent:** Friday, September 22, 2017 3:52 PM  
**To:** Haron, Judith (HHS/OGC); Woolford, Llewellyn (HHS/OGC)  
**CC:** Tomlinson, Martin M. (CIV)  
**Subject:** FW: Unaccompanied minor access to abortion - urgent concern

By way of update, this is the latest from ACLU, if we could discuss on Monday that would be great.

---

**From:** Brigitte Amiri [mailto:bamiri@aclu.org]  
**Sent:** Friday, September 22, 2017 3:07 PM  
**To:** Phipps, Peter (CIV) <PPhipps@CIV.USDOJ.GOV>; Tomlinson, Martin M. (CIV)



<mtomlins@CIV.USDOJ.GOV>

**Subject:** Unaccompanied minor access to abortion - urgent concern

Peter & Marty:

Thank you, Peter, for taking the time to speak with me on your day off. As I explained on the phone, I have been informed that there is a minor in the IES Los Fresnos, Texas shelter who has requested an abortion. Her immigration attorneys are ProBar. Her A # is (b)(6). Her advocates have been told that she must receive counseling at an anti-abortion crisis pregnancy center in Corpus Christi, over two hours away, before ORR will even consider the abortion request. This raises multiple concerns. Forcing a young woman to receive counseling from a CPC violates her First Amendment rights and privacy rights, as detailed in the attached case. Also, it seems as though ORR is wielding veto power over her abortion request. The government (or any person) exercise veto power over another's abortion decision as detailed in *Planned Parenthood v. Casey*, 505 U.S. 833 (1992). The delay created by these obstacles is also troubling; although abortion is very safe, each each the pregnancy progresses increases the risks associated with the procedure.

I appreciate that you are taking these concerns seriously. I look forward to speaking with when you have an update.

Best,  
Brigitte

---

**From:** Westlaw@westlaw.com <Westlaw@westlaw.com>

**Sent:** Friday, September 22, 2017 8:22 AM

**To:** Brigitte Amiri

**Subject:** Planned Parenthood Minnesota, North Dakota, South Dakota v. Daugaard

Brigitte Amiri sent you content from Westlaw.  
Please see the attached file.

Item: Planned Parenthood Minnesota, North Dakota, South Dakota v. Daugaard  
Citation: 799 F.Supp.2d 1048  
Sent On: Friday, September 22, 2017  
Sent By: Brigitte Amiri  
Client ID: (b)(6)

Note:

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<b>Recipient:</b>	"White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "Suh, Victor (HHS/OGC) (ACF) (CTR) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d405522c35ef4b90a7c40ba649bd9d82-Suh, Ga-Yoo>"; "Keith, Robert (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=df51780496d448889d319015fe90059c-Keith, Robe>"; "Woolford, Llewellyn (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usera4119958>"
<b>Sent Date:</b>	2017/09/22 15:55:32
<b>Delivered Date:</b>	2017/09/22 15:55:33



<b>From:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"
<b>Subject:</b>	RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (b)(6)
<b>Date:</b>	2017/09/22 17:16:30
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Understood.

---

**From:** Lloyd, Scott (ACF)  
**Sent:** Friday, September 22, 2017 5:13 PM  
**To:** White, Jonathan (ACF)  
**Cc:** White, Laura (ACF); Bowman, Matthew (HHS/OGC)  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))  
(b)(6)

Thank you.

She does not have to be the person to speak with her parents, but her parents have to know that she is pregnant. If she wants the abortion, we need her parents' consent.

Understood on number two.

(b)(5)

Thank you,  
Scott

---

**From:** White, Jonathan (ACF)  
**Sent:** Friday, September 22, 2017 5:07 PM  
**To:** Lloyd, Scott (ACF)  
**Cc:** White, Laura (ACF)  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))  
(b)(6)

Scott,

Understood.

(b)(5)

Jonathan

---

**From:** Lloyd, Scott (ACF)

**Sent:** Friday, September 22, 2017 5:03 PM

**To:** White, Jonathan (ACF)

**Cc:** White, Laura (ACF)

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(5))

(b)(6)

**Importance:** High

Jonathan,

A few things to add, please:

(b)(5)

Thank you,  
Scott



---

**From:** White, Jonathan (ACF)

**Sent:** Friday, September 22, 2017 1:50 PM

**To:** Lloyd, Scott (ACF)

**Cc:** White, Laura (ACF)

**Subject:** Fwd: IES LE Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Scott,

Direction provided again to IES program per your instructions.

Jonathan

Jonathan White  
Commander, US Public Health Service  
Deputy Director for Children's Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
[Jonathan.White@acf.hhs.gov](mailto:Jonathan.White@acf.hhs.gov)  
(202) 570-8916

---

**From:** "Bartholomew, Michael (ACF)" <[Michael.Bartholomew@acf.hhs.gov](mailto:Michael.Bartholomew@acf.hhs.gov)>

**Subject:** FW: IES LE Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

**Date:** 22 September 2017 13:43

**To:** "De LA Cruz, James (ACF)" <[James.DeLACruz@acf.hhs.gov](mailto:James.DeLACruz@acf.hhs.gov)>, "Gonzalez, Jose (ACF)" <[Jose.Gonzalez@ACF.hhs.gov](mailto:Jose.Gonzalez@ACF.hhs.gov)>, "White, Jonathan (ACF)" <[Jonathan.White@ACF.hhs.gov](mailto:Jonathan.White@ACF.hhs.gov)>

Per your instruction

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** Bartholomew, Michael (ACF)

**Sent:** Friday, September 22, 2017 1:43 PM

**To:** (b)(6) De LA Cruz, James (ACF)  
**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); Roberto Lerma; White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF); Gonzalez, Jose (ACF)

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon,

Thank you for your email. Please let ORR know when an appointment has been made for the options counseling. Please ensure that the child receives all emotional / psychological support that she might need to work through her thoughts and emotions during what is certainly a difficult time.

I have spoken to leadership. To clarify, the program is not authorized to take her to receive termination services, or to any appointments that would prepare her for a termination, without consent from the Director. ORR Director consent cannot happen without written and notarized consent of her parents. Program should proceed with life-affirming options counseling and notification to the parents of the pregnancy and the request for termination, if still desired.

If you have any further questions, please feel free to contact ORR.

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:[jessica.martinez@iestex.org](mailto:jessica.martinez@iestex.org)]

**Sent:** Wednesday, September 20, 2017 5:20 PM

**To:** Bartholomew, Michael (ACF); De LA Cruz, James (ACF)

**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); (b)(6) White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF)

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon Dr. Bartholomew, thank you for your prompt guidance.



We will proceed as directed and ensure to keep ORR up-to-date. Please note, at this time UAC continues to voice she does not wish to disclose pregnancy to her parents whom reside in home country (GU). To our knowledge and according to UAC she has no "next of kin" residing in the U.S. Potential sponsor and minor's POC in U.S. was an unverified "aunt" who declined to sponsor, there has been no further contact between care provider and this individual. Assigned Clinician will continue working closely with UAC with the hope that she will reconsider, at this point are there any other actions care provider must take due to the UAC being unwilling to proceed with parental notification?? We will be sure to inform ORR once appointment is secured, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext.** (b)(6)  
**Cell:** (b)(6)  
**Fax: 956-233-3435**

(b)(6)@iestex.org



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---

**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]

**Sent:** Wednesday, September 20, 2017 3:44 PM

**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF)  
<James.DeLACruz@acf.hhs.gov>

**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; Claudia Gonzalez-Rivera  
<crivera@iestex.org>; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs  
Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)

(b)(6)@iestex.org>; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>;  
ORR DHUC <DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF)  
<Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF)  
<Lara.Misegades@acf.hhs.gov>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC

(b)(6)

Good Afternoon,

I have discussed this email with leadership.

In these particular situations, the child should seek spiritual counseling, options counseling, and parental notification via a family session.

Counseling can be provided at :

Pregnancy Center of the Coastal Bend	4730 Everhart St	Corpus Christi	TX
--------------------------------------	------------------	----------------	----

Please notify ORR when these services have been provided.

I have added Mr. De La Cruz in case he has additional guidance

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
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Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]

**Sent:** Tuesday, September 19, 2017 8:11 PM

**To:** ORR DHUC

**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); (b)(6)

**Subject:** [WARNING : MESSAGE ENCRYPTED] FW: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

**Importance:** High

Good Evening,



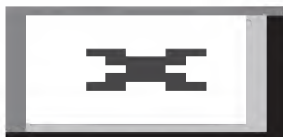
Please be advised that IES LF Shelter has a 17-year-old female UAC (M(b)(6))  
(b)(6) from Guatemala in care (DOE 9/7/17) whom is  
inquiring about the possibility of terminating pregnancy. On 9/18/17 UAC  
disclosed to assigned Clinician that she did not wish to continue her pregnancy,  
she shared she wished to end her pregnancy and return to home country as she  
has no viable sponsor options. UAC attended initial OB/GYN appointment on  
09/11/2017 at RGV Women's Health Center- Harlingen with (b)(6)  
(b)(6) An intrauterine pregnancy was confirmed by an OB sonogram  
Gestation is +/- 9 weeks. UAC did not share her thoughts with obstetrician during  
visit.

Please note (b)(6) (obstetrician) and PCP (b)(6) are not currently  
aware UAC is seeking to terminate pregnancy, at this time the UAC has only  
shared this information with her assigned Clinician. In addition, care provider has  
not reached out to any community medical providers regarding minor's request,  
no appointment for the procedure/service has been made. This information has  
been elevated to designated ORR FFS and a Significant Incident Addendum  
(Event# 106940) has been submitted with regards to UAC's request for above  
referenced medical service. At this time care provider is reaching out to ORR  
Medical team in the hopes of obtaining procedural guidance regarding minor's  
specific request. Please advise on how to proceed with minor's request for this  
heightened medical service, thank you, we will wait for further guidance.

\*Password for attachment will follow in separate email, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**  
(b)(6)@iestex.org



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<b>Sender:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"
<b>Sent Date:</b>	2017/09/22 17:16:29
<b>Delivered Date:</b>	2017/09/22 17:16:30



<b>From:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Haron, Judith (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user78f5296f>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"
<b>CC:</b>	"Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"
<b>Subject:</b>	Fwd: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))
<b>Date:</b>	2017/09/22 19:18:10
<b>Importance:</b>	High
<b>Priority:</b>	Urgent
<b>Type:</b>	Note

FYSA. More to follow.

Jonathan White  
Commander, US Public Health Service  
Deputy Director for Children's Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
Jonathan.White@acf.hhs.gov

(b)(6)

Begin Forwarded Message:

**From:** (b)(6)@iestex.org>  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))  
**Date:** 22 September 2017 18:51  
**To:** "Bartholomew, Michael (ACF)" <Michael.Bartholomew@acf.hhs.gov>, "De LA Cruz, James (ACF)" <James.DeLACruz@acf.hhs.gov>

**Cc:** "Lowe, Amaeda (ACF)" <Amaeda.Lowe@acf.hhs.gov>, "(b)(6)"  
(b)(6)@iestex.org>, "Brooks, Teresa (ACF)"  
<Teresa.Brooks@ACF.hhs.gov>, "Jacobs Gainor, Rachel (ACF)"  
<Rachel.Jacobs@acf.hhs.gov>, "(b)(6)"@iestex.org>,  
"White, Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov>, "ORR DHUC"  
<DCSMedical@acf.hhs.gov>, "Sualog, Jallyn (ACF)"  
<Jallyn.Sualog@ACF.hhs.gov>, "Misegades, Lara (ACF)"  
<Lara.Misegades@acf.hhs.gov>, "Gonzalez, Jose (ACF)"  
<Jose.Gonzalez@ACF.hhs.gov>, "(b)(6)"@iestex.org>

All,

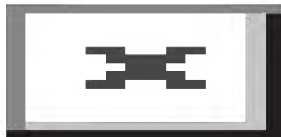
Please be advised that care provider just received notice from legal service provider ProBar (see attached email correspondence) that UAC has a hearing scheduled on Monday, September 25, 2017 at 8:00a.m. in the 107th District Court at the Cameron County Courthouse located in Brownsville, Texas. Therefore, care provider will reschedule counseling appointment for Tuesday, September 26, 2017. Please do not hesitate to contact me should anyone have any questions, we will be in touch.

Thank you,

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**

(b)(6)@iestex.org



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**From:** (b)(6)  
**Sent:** Friday, September 22, 2017 1:43 PM  
**To:** 'Bartholomew, Michael (ACF)' <Michael.Bartholomew@acf.hhs.gov>; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>  
**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; (b)(6)@iestex.org;  
Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)@iestex.org; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC <DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF) <Lara.Misegades@acf.hhs.gov>; Gonzalez, Jose (ACF) <Jose.Gonzalez@ACF.hhs.gov>; (b)(6)@iestex.org  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon Dr. Bartholomew,

I appreciate the additional guidance regarding this matter, we will proceed accordingly. Please note, care provider has secured counseling appointment with ORR approved provider on Monday at 10:00 a.m. The center is about 2.5-hour drive from our facility and we have informed their office of our estimated time of arrival. With regard to parental notification and consent, as previously noted, we will continue working with the UAC and notify ORR of any new developments. Again, we will ensure to proceed as directed and keep ORR updated on this matter. Should we have any further questions or concerns we will be sure to reach out to ORR promptly, thank you again for the issued guidance, we will be in touch.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext (b)(6)**  
**Cell: (b)(6)**  
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again.

---

**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]  
**Sent:** Friday, September 22, 2017 12:43 PM  
**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>  
**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; (b)(6)@iestex.org; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)@iestex.org; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC <DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF) <Lara.Misegades@acf.hhs.gov>; Gonzalez, Jose (ACF) <Jose.Gonzalez@ACF.hhs.gov>  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

Good Afternoon,

Thank you for your email. Please let ORR know when an appointment has been made for the options counseling. Please ensure that the child receives all emotional / psychological support that she might need to work through her thoughts and emotions during what is certainly a difficult time.

I have spoken to leadership. To clarify, the program is not authorized to take her to receive termination services, or to any appointments that would prepare her for a termination, without consent from the Director. ORR Director consent cannot happen without written and notarized consent of her parents. Program should proceed with life-affirming options counseling and notification to the parents of the pregnancy and the request for termination, if still desired.

If you have any further questions, please feel free to contact ORR.

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]  
**Sent:** Wednesday, September 20, 2017 5:20 PM  
**To:** Bartholomew, Michael (ACF); De LA Cruz, James (ACF)  
**Cc:** Lowe, Amaeda (ACF); Claudia Gonzalez-Rivera; Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF);



Roberto Lerma; White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF)

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

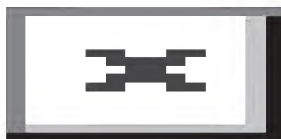
Good Afternoon Dr. Bartholomew, thank you for your prompt guidance.

We will proceed as directed and ensure to keep ORR up-to-date. Please note, at this time UAC continues to voice she does not wish to disclose pregnancy to her parents whom reside in home country (GU). To our knowledge and according to UAC she has no "next of kin" residing in the U.S. Potential sponsor and minor's POC in U.S. was an unverified "aunt" who declined to sponsor, there has been no further contact between care provider and this individual. Assigned Clinician will continue working closely with UAC with the hope that she will reconsider, at this point are there any other actions care provider must take due to the UAC being unwilling to proceed with parental notification?? We will be sure to inform ORR once appointment is secured, thank you.

(b)(6)

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**International Educational Services, Inc.**  
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**Los Fresnos, TX 78566**  
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(b)(6)@iestex.org



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**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]

**Sent:** Wednesday, September 20, 2017 3:44 PM

**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF)

<James.DeLACruz@acf.hhs.gov>

**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov> (b)(6)@iestex.org;

Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachael.Jacobs@acf.hhs.gov> (b)(6)@iestex.org; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC <DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF) <Lara.Misegades@acf.hhs.gov>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon,

I have discussed this email with leadership.

In these particular situations, the child should seek spiritual counseling, options counseling, and parental notification via a family session.

Counseling can be provided at :

Pregnancy Center of the Coastal Bend	4730 Everhart St	Corpus Christi	TX
--------------------------------------	------------------	----------------	----

Please notify ORR when these services have been provided.

I have added Mr. De La Cruz in case he has additional guidance

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]

**Sent:** Tuesday, September 19, 2017 8:11 PM

**To:** ORR DHUC

**Cc:** Lowe, Amaeda (ACF); (b)(6) Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF);

(b)(6)

**Subject:** [WARNING : MESSAGE ENCRYPTED] FW: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

**Importance:** High

Good Evening,



Please be advised that IES LF Shelter has a 17-year-old female UAC (b)(6) (b)(6) from Guatemala in care (DOE 9/7/17) whom is inquiring about the possibility of terminating pregnancy. On 9/18/17 UAC disclosed to assigned Clinician that she did not wish to continue her pregnancy, she shared she wished to end her pregnancy and return to home country as she has no viable sponsor options. UAC attended initial OB/GYN appointment on 09/11/2017 at RGV Women's Health Center- Harlingen with (b)(6) An intrauterine pregnancy was confirmed by an OB sonogram Gestation is +/- 9 weeks. UAC did not share her thoughts with obstetrician during visit.

Please note, (b)(6) (obstetrician) and PCP (b)(6) are not currently aware UAC is seeking to terminate pregnancy, at this time the UAC has only shared this information with her assigned Clinician. In addition, care provider has not reached out to any community medical providers regarding minor's request, no appointment for the procedure/service has been made. This information has been elevated to designated ORR FFS and a Significant Incident Addendum (Event# 106940) has been submitted with regards to UAC's request for above referenced medical service. At this time care provider is reaching out to ORR Medical team in the hopes of obtaining procedural guidance regarding minor's specific request. Please advise on how to proceed with minor's request for this heightened medical service, thank you, we will wait for further guidance.

\*Password for attachment will follow in separate email, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**

(b)(6) @iestex.org



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<b>Sender:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Haron, Judith (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user78f5296f>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"
<b>Sent Date:</b>	2017/09/22 19:18:08
<b>Delivered Date:</b>	2017/09/22 19:18:10



<b>From:</b>	(b)(6)@iestex.org" (b)(6)@iestex.org>
<b>To:</b>	Beatriz Jones <beatriz.jones@abaprobar.org>
<b>CC:</b>	(b)(6)@iestex.org" (b)(6)@iestex.org>, (b)(6)estex.org" (b)(6)@iestex.org>, (b)(6)@gmail.com" (b)(6)@gmail.com>, GarzaPLLC (b)(6)@garzapllc.com>, "Lowe, Amaeda (ACF)" <amaeda.lowe@acf.hhs.gov>, (b)(6) (b)(6)@abaprobar.org>, (b)(6) (b)(6)@abaprobar.org> (b)(6)@iestex.org> (b)(6) (b)(6)@iestex.org>
<b>Subject:</b>	Appointment to meet with minor (b)(6)
<b>Date:</b>	Fri, 22 Sep 2017 22:11:15 +0000

Good Afternoon,

We will ensure that UAC be ready for tomorrow (9/23/17) at requested time. Also, UAC will be at the court building at the requested time and date.

Thank you,

(b)(6)

I.E.S. Los Fresnos, TX 78566

Phone # (956) 233-5705 ext (b)(6)

Fax # (956) 233-1396

-----Original Message-----

From: (b)(6)@abaprobar.org>

Sent: Friday, September 22, 2017 4:53pm

To: (b)(6)@iestex.org (b)(6)@iestex.org, (b)(6)@iestex.org

Cc: (b)(6)@gmail.com, "GarzaPLLC" (b)(6)@garzapllc.com>, "Lowe,

Amaeda (ACF)" <Amaeda.Lowe@acf.hhs.gov>, (b)(6)

(b)(6)@abaprobar.org>, (b)(6)@abaprobar.org>

Subject: Appointment to meet with minor (b)(6)

Good afternoon (b)(6)

Attorneys Rochelle Garza and Marie Christine Cortez, copied here, represent the above referenced minor on a legal matter and will be meeting with her at the shelter on **Saturday, September 23, 2017 at 2:00 p.m.** They will be following this email with a notice of representation.

The minor has a hearing scheduled on **Monday, September 25, 2017** in the 107th District Court at the **Cameron County Courthouse** located at **974 E. Harrison St., Brownsville, Texas 78520**. Please have the minor present at **7:30 a.m.**

--

Best,

(b)(6)

ProBAR Children's Project  
202 S 1st Street Suite 300  
Harlingen, TX 78550  
956-365-3775 *tel*  
956-365-3789 *fax*

<b>Sender:</b>	(b)(6)@iestex.org" (b)(6)@iestex.org>
<b>Recipient:</b>	(b)(6)@abaprobar.org>; (b)(6)@iestex.org (b)(6)@iestex.org>; (b)(6)iestex.org (b)(6)@iestex.org>; (b)(6)@gmail.com (b)(6)@gmail.com>; " GarzaPLLC <rochelle@garzapllc.com>; " Lowe, Amaeda (ACF) <amaeda.lowe@acf.hhs.gov>; " (b)(6)@abaprobar.org>; " (b)(6)@abaprobar.org>; " (b)(6)@iestex.org>; " Claudia Gonzalez-Rivera <crivera@iestex.org>"



<b>From:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Haron, Judith (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user78f5296f>"
<b>CC:</b>	"Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "De LA Cruz, James (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Bartholomew, Michael (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael>"; "Bena, Anna Marie (HHS/OGC) (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"
<b>Subject:</b>	Fwd: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6)) (b)(6)
<b>Date:</b>	2017/09/22 19:20:58
<b>Importance:</b>	High
<b>Priority:</b>	Urgent
<b>Type:</b>	Note

URGENT

Please see below and attached.

I have advised (b)(6) at IES that direction from ORR Director and/or HHS OGC will be forthcoming.

Jonathan White  
Commander, US Public Health Service  
Deputy Director for Children's Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
Jonathan.White@acf.hhs.gov

(b)(6)

**From:** (b)(6)@iestex.org>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

**Date:** 22 September 2017 19:12

**To:** "Bartholomew, Michael (ACF)" <Michael.Bartholomew@acf.hhs.gov>, "De LA Cruz, James (ACF)" <James.DeLACruz@acf.hhs.gov>

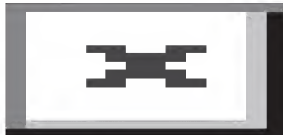
**Cc:** "Lowe, Amaeda (ACF)" <Amaeda.Lowe@acf.hhs.gov>, (b)(6)  
(b)(6)@iestex.org>, "Brooks, Teresa (ACF)"  
<Teresa.Brooks@ACF.hhs.gov>, "Jacobs Gainor, Rachel (ACF)"  
<Rachel.Jacobs@acf.hhs.gov>, (b)(6)@iestex.org>, "White,  
Jonathan (ACF)" <Jonathan.White@ACF.hhs.gov>, "ORR DHUC"  
<DCSMedical@acf.hhs.gov>, "Sualog, Jallyn (ACF)" <Jallyn.Sualog@ACF.hhs.gov>,  
"Misegades, Lara (ACF)" <Lara.Misegades@acf.hhs.gov>, "Gonzalez, Jose (ACF)"  
<Jose.Gonzalez@ACF.hhs.gov>, (b)(6)@iestex.org>  
Good Evening,

Please find attached "Letter of Representation" from Attorney Garza representing minor  
at Monday's court hearing, please advise, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: 1410**  
**Cell:** (b)(6)  
**Fax: 956-233-3435**

(b)(6)@iestex.org



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**From:** (b)(6)

**Sent:** Friday, September 22, 2017 5:51 PM

**To:** 'Bartholomew, Michael (ACF)' <Michael.Bartholomew@acf.hhs.gov>; 'De LA Cruz, James (ACF)' <James.DeLACruz@acf.hhs.gov>

**Cc:** 'Lowe, Amaeda (ACF)' <Amaeda.Lowe@acf.hhs.gov>, (b)(6)  
(b)(6)@iestex.org>; 'Brooks, Teresa (ACF)' <Teresa.Brooks@ACF.hhs.gov>; 'Jacobs Gainor, Rachel (ACF)' <Rachel.Jacobs@acf.hhs.gov>, (b)(6)@iestex.org>;  
'White, Jonathan (ACF)' <Jonathan.White@ACF.hhs.gov>; 'ORR DHUC'  
<DCSMedical@acf.hhs.gov>; 'Sualog, Jallyn (ACF)' <Jallyn.Sualog@ACF.hhs.gov>; 'Misegades,



Lara (ACF)' <Lara.Misegades@acf.hhs.gov>; 'Gonzalez, Jose (ACF)'  
<Jose.Gonzalez@ACF.hhs.gov> (b)(6)@iestex.org>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

All,

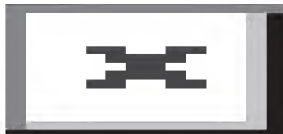
Please be advised that care provider just received notice from legal service provider ProBar (see attached email correspondence) that UAC has a hearing scheduled on Monday, September 25, 2017 at 8:00a.m. in the 107th District Court at the Cameron County Courthouse located in Brownsville, Texas. Therefore, care provider will reschedule counseling appointment for Tuesday, September 26, 2017. Please do not hesitate to contact me should anyone have any questions, we will be in touch.

Thank you,

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: 1410**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**

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---

**From:** Jessica Martinez

**Sent:** Friday, September 22, 2017 1:43 PM

**To:** 'Bartholomew, Michael (ACF)' <Michael.Bartholomew@acf.hhs.gov>; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>

**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov> (b)(6)

(b)(6)@iestex.org>; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor,

Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)@iestex.org>;

White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC  
<DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades,  
Lara (ACF) <Lara.Misegades@acf.hhs.gov>; Gonzalez, Jose (ACF)  
<Jose.Gonzalez@ACF.hhs.gov>; (b)(6) @iestex.org>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

Good Afternoon Dr. Bartholomew,

I appreciate the additional guidance regarding this matter, we will proceed accordingly. Please note, care provider has secured counseling appointment with ORR approved provider on Monday at 10:00 a.m. The center is about 2.5-hour drive from our facility and we have informed their office of our estimated time of arrival. With regard to parental notification and consent, as previously noted, we will continue working with the UAC and notify ORR of any new developments. Again, we will ensure to proceed as directed and keep ORR updated on this matter. Should we have any further questions or concerns we will be sure to reach out to ORR promptly, thank you again for the issued guidance, we will be in touch.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: 1410**  
**Cell: (b)(6)**  
**Fax: 956-233-3435**

(b)(6) @iestex.org



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again.

---

**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]

**Sent:** Friday, September 22, 2017 12:43 PM



**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>  
**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov> (b)(6)@iestex.org; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov> (b)(6)@iestex.org; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC <DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF) <Lara.Misegades@acf.hhs.gov>; Gonzalez, Jose (ACF) <Jose.Gonzalez@ACF.hhs.gov>  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6)) (b)(6)

Good Afternoon,

Thank you for your email. Please let ORR know when an appointment has been made for the options counseling. Please ensure that the child receives all emotional / psychological support that she might need to work through her thoughts and emotions during what is certainly a difficult time.

I have spoken to leadership. To clarify, the program is not authorized to take her to receive termination services, or to any appointments that would prepare her for a termination, without consent from the Director. ORR Director consent cannot happen without written and notarized consent of her parents. Program should proceed with life-affirming options counseling and notification to the parents of the pregnancy and the request for termination, if still desired.

If you have any further questions, please feel free to contact ORR.

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]  
**Sent:** Wednesday, September 20, 2017 5:20 PM  
**To:** Bartholomew, Michael (ACF); De LA Cruz, James (ACF)  
**Cc:** Lowe, Amaeda (ACF); (b)(6) Brooks, Teresa (ACF); Jacobs Gainor, Rachel (ACF); Roberto Lerma; White, Jonathan (ACF); ORR DHUC; Sualog, Jallyn (ACF); Misegades, Lara (ACF)  
**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6)) (b)(6)

Good Afternoon Dr. Bartholomew, thank you for your prompt guidance.

We will proceed as directed and ensure to keep ORR up-to-date. Please note, at this time UAC continues to voice she does not wish to disclose pregnancy to her parents whom reside in home country (GU). To our knowledge and according to UAC she has no "next of kin" residing in the U.S. Potential sponsor and minor's POC in U.S. was an unverified "aunt" who declined to sponsor, there has been no further contact between care provider and this individual. Assigned Clinician will continue working closely with UAC with the hope that she will reconsider, at this point are there any other actions care provider must take due to the UAC being unwilling to proceed with parental notification?? We will be sure to inform ORR once appointment is secured, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: 1410**  
**Cell (b)(6)**  
**Fax: 956-233-3435**

(b)(6)@iestex.org



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---

**From:** Bartholomew, Michael (ACF) [mailto:Michael.Bartholomew@acf.hhs.gov]  
**Sent:** Wednesday, September 20, 2017 3:44 PM  
**To:** (b)(6)@iestex.org; De LA Cruz, James (ACF) <James.DeLACruz@acf.hhs.gov>  
**Cc:** Lowe, Amaeda (ACF) <Amaeda.Lowe@acf.hhs.gov>; (b)(6)@iestex.org; Brooks, Teresa (ACF) <Teresa.Brooks@ACF.hhs.gov>; Jacobs Gainor, Rachel (ACF) <Rachel.Jacobs@acf.hhs.gov>; (b)(6)@iestex.org; White, Jonathan (ACF) <Jonathan.White@ACF.hhs.gov>; ORR DHUC



<DCSMedical@acf.hhs.gov>; Sualog, Jallyn (ACF) <Jallyn.Sualog@ACF.hhs.gov>; Misegades, Lara (ACF) <Lara.Misegades@acf.hhs.gov>

**Subject:** RE: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

(b)(6)

Good Afternoon,

I have discussed this email with leadership.

In these particular situations, the child should seek spiritual counseling, options counseling, and parental notification via a family session.

Counseling can be provided at :

Pregnancy Center of the Coastal Bend	4730 Everhart St	Corpus Christi	TX
--------------------------------------	------------------	----------------	----

Please notify ORR when these services have been provided.

I have added Mr. De La Cruz in case he has additional guidance

Michael L. Bartholomew, M.D., FAAP  
CDR, U.S. Public Health Service  
Director, Division of Health for Unaccompanied Children (DHUC)  
Unaccompanied Children Programs  
Office of Refugee Resettlement  
Administration for Children and Families  
U.S. Department of Health and Human Services  
Mary E. Switzer Building  
330 C St SW, MS 5123  
Washington, DC 20201  
Phone: 202-401-5375  
[michael.bartholomew@acf.hhs.gov](mailto:michael.bartholomew@acf.hhs.gov)  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]

**Sent:** Tuesday, September 19, 2017 8:11 PM

**To:** ORR DHUC

**Cc:** Lowe, Amaeda (ACF); (b)(6) Teresa (ACF); Jacobs Gainor, Rachel (ACF); (b)(6)

**Subject:** [WARNING : MESSAGE ENCRYPTED] FW: IES LF Shelter-Inquiry Regarding Heightened Medical Service (UAC (b)(6))

**Importance:** High

Good Evening,

Please be advised that IES LF Shelter has a 17-year-old female UAC (b)(6) (b)(6) from Guatemala in care (DOE 9/7/17) whom is inquiring about the possibility of terminating pregnancy. On 9/18/17 UAC disclosed to assigned Clinician

that she did not wish to continue her pregnancy, she shared she wished to end her pregnancy and return to home country as she has no viable sponsor options. UAC attended initial OB/GYN appointment on 09/11/2017 at RGV Women's Health Center-Harlingen with (b)(6). An intrauterine pregnancy was confirmed by an OB sonogram Gestation is +/- 9 weeks. UAC did not share her thoughts with obstetrician during visit.

Please note (b)(6) (obstetrician) and PCP (b)(6) are not currently aware UAC is seeking to terminate pregnancy, at this time the UAC has only shared this information with her assigned Clinician. In addition, care provider has not reached out to any community medical providers regarding minor's request, no appointment for the procedure/service has been made. This information has been elevated to designated ORR FFS and a Significant Incident Addendum (Event# 106940) has been submitted with regards to UAC's request for above referenced medical service. At this time care provider is reaching out to ORR Medical team in the hopes of obtaining procedural guidance regarding minor's specific request. Please advise on how to proceed with minor's request for this heightened medical service, thank you, we will wait for further guidance.

\*Password for attachment will follow in separate email, thank you.

(b)(6)

**IES Shelter Los Fresnos**  
**International Educational Services, Inc.**  
**P.O. Box 112**  
**Los Fresnos, TX 78566**  
**Phone: 956-233-5705 ext: (b)(6)**  
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**small create reflect live serve love**

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<b>Recipient:</b>	<p>"Lloyd, Scott (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa&gt;";</p> <p>"Bowman, Matthew (HHS/OGC) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat&gt;";</p> <p>"Haron, Judith (HHS/OGC) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user78f5296f&gt;";</p> <p>"Sualog, Jallyn (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal&gt;";</p> <p>"De LA Cruz, James (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2eba95d119ab4cd6a77b34616dc3366c-De LA Cruz,&gt;";</p> <p>"Swartz, Tricia (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri&gt;";</p> <p>"Bartholomew, Michael (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Bartholomew, Michael&gt;";</p> <p>"Bena, Anna Marie (HHS/OGC) (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user73b01e01&gt;";</p> <p>"Biswas, Toby R M (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob&gt;";</p> <p>"White, Laura (ACF) &lt;/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur&gt;"</p>
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<b>Subject:</b>	FW: Repatriation SQREX Read Ahead Materials
<b>Date:</b>	2017/09/27 15:04:21
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

As discussed, please find attached the repatriation exercise documents for next week, organized by ASPR.

Best,

Pedro

---

**From:** Moore, William (OS/ASPR/OEM)  
**Sent:** Wednesday, September 27, 2017 2:47 PM  
**To:** Mackay, Thomas (OS/ASPR/OEM)  
**Cc:** Athena Strategic Design Inc (christiana.briggs@athenastrategicdesign.com); Tidman, Sarah (Tidmans@cna.org); Butterworth, Virginia (OS/ASPR/OEM); Barton, Jessie-Kate (OS/ASPR/OEM); Moreno, Pedro (ACF); Russell, Elizabeth (ACF); Vineyard, Michael (OS/ASPR/OEM)  
**Subject:** Repatriation SQREX Read Ahead Materials

Hi Tom,

As promised, the read ahead materials for the Repatriation SQREX are attached. Please forward to Chris and on to the schedulers for distribution to the invitees. I will send the final documents to the planning team directly. I recommend participants read the HHS NERP SQREX Situation Manual and the HHS NERP SQREX Slide Presentation first. The other documents are for deeper background and reference.

V/R

Mike

**William (Mike) Moore**

Exercise Branch Chief  
Training, Exercises and Lessons Learned  
ASPR/OEM



U.S. Department of Health and Human Services  
202-570-6106

<b>Sender:</b>	Moreno, Pedro (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FFD28CE9A1D8453591E74B700A6CE1E8-MORENO, PED>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
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<b>Delivered Date:</b>	2017/09/27 15:04:21

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<b>Date:</b>	2017/09/28 14:30:57
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

The one pager became a two pager but this is still succinct given the complexity of the case. Thanks to Michael and Laura for their help preparing it.

Please review for any edits you wish to make. (b)(5)

(b)(5)

Jonathan

Jonathan D. White  
 Commander, U.S. Public Health Service  
 Deputy Director for Children's Programs  
 Office of Refugee Resettlement  
 Administration for Children and Families  
 U.S. Department of Health and Human Services  
 330 C Street SW  
 (202) 690-6984  
 jonathan.white@acf.hhs.gov

<b>Sender:</b>	White, Jonathan (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E9B5FE526F1D4BA0A6CC8DDEE8EC4D87-JONATHAN WH>
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<b>Date:</b>	2017/09/28 17:10:11
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

I have attached the info memo to S1 on the UAC case. Please let us know if you have any questions. We should send this to Steve and then send it to Maggie/ Tim Clark.

Thanks,  
Laura

<b>Sender:</b>	White, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR>
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<b>Subject:</b>	ACF Congressional Daily News - September 29, 2017
<b>Date:</b>	2017/09/29 10:18:49
<b>Priority:</b>	Normal
<b>Type:</b>	Note

**Administration for Children and Families**

**Office of Legislative Affairs and Budget**

**ACF Congressional Daily News for Friday, September 29, 2017**

**House and Senate Floor Activity**

The Senate and House are not in session today and will reconvene on October 2.

**OLAB Hearing Coverage**

On October 4, the House Homeland Security Committee will hold a markup of H.R. 3548, the Border Security for America Act.

-

**Congressional Press Releases Related to ACF**

**DOMESTIC VOLENCE**

Blunt, Klobuchar Introduce Bill to Strengthen Privacy Protections for Domestic Violence Victims – Sen. Blunt (R-MO)

**HUMAN TRAFFICKING**

Cortez Masto Urges Coordination among Local, State, and Federal Authorities to Crack Down on Human Trafficking in Indian Country – Sen. Costez Masto (D-NV)



Murkowski on Human Trafficking of American Indian and Alaska Natives – Sen. Murkowski (R-AK)

Tester Combats Human Trafficking in Indian Country – Sen. Tester (D-MT)

## REFUGEE RESETTLEMENT

Rep. Lieu Responds to Trump's Plan to Reduce Refugee Cap – Rep. Lieu (D-CA)

Carper Statement on Trump's Decision to Cut Refugee Admissions – Sen. Carper (D-DE)

Goodlatte Statement on Trump Administration's Refugee Ceiling for FY 2018 – Rep. Goodlatte (R-VA)

Pascrell Statement on Trump Administration Reduction in Refugee Acceptance – Rep. Pascrell (D-NJ)

## **Congressional Daily News**

Bloomberg Government reports on today's congressional activity below.

### **What to Watch Next Week**

By Robin Meszoly | September 29, 2017 8:42AM ET

Budget and taxes, immigration and abortion restrictions will top the agenda as Congress kicks off the new fiscal year.

Majority Leader Kevin McCarthy (R-Calif.) said the House would vote next week on its fiscal 2018 budget resolution (H.Con.Res. 71) shepherded by Budget Committee Chairman Diane Black (R-Tenn.).

Adopting the budget resolution with reconciliation instructions would pave the way for an overhaul of the tax code by a simple majority in the Senate.

The decision by the House Freedom Caucus to endorse the tax framework unveiled by GOP leaders removed a potential hurdle for adoption of the blueprint.

The Senate Budget Committee plans to mark up that chamber's budget resolution next week, Majority Leader Mitch McConnell (R-Ky.) said.

**ABORTION:** The House plans to vote on a measure (H.R. 36) that would make it a crime to perform or attempt an abortion if the probable post-fertilization age of the fetus is 20 weeks or more. The proposed Pain Capable Unborn Child Protection Act would provide exceptions in cases of rape or incest.

The House has passed similar bills in the two previous Congresses, largely along party lines.

**OBAMACARE:** We'll be watching for a potential bipartisan agreement to help stabilize individual insurance markets. Senate Health, Education, Labor and Pensions Committee Chairman Lamar Alexander (R-Tenn.) told reporters yesterday that he and the committee's ranking Democrat Patty Murray (Wash.) are close to a deal and need the support of leaders and members to move forward.

**NOMINATION:** Federal Communications Commission Chairman Ajit Pai is up for a confirmation vote Monday for a new five-year term. The Senate voted 55-41 yesterday to invoke cloture on the nomination of Pai, who has drawn Democrats' criticism over plans to rewrite Obama administration rules on net neutrality and broadband classification.

The same day, former Equifax Inc. Chairman and CEO Richard Smith, is scheduled to testify before a House Energy and Commerce Digital Commerce and Consumer Protection Subcommittee oversight hearing on the cyberbreach at the company that resulted in the theft of more than 143 million Americans' personal data. Smith returns to Capitol Hill Wednesday to appear before Senate Banking Committee. The Senate Judiciary Privacy, Technology and the Law Subcommittee plans a hearing that day on the Equifax breach.

Senate Minority Leader Chuck Schumer (D-N.Y.) and other Democrats are citing the Wells Fargo and Equifax scandals as a reason Congress shouldn't kill a rule designed to make it easier for consumers to sue financial firms.

**EX-PRESIDENTS' PERKS:** The Senate Homeland Security and Governmental Affairs Committee plans Wednesday to mark up legislation (S. 1791) sponsored by Joni Ernst (R-Iowa) that would cap former presidents' monetary allowances for items such as office space and staff salaries, and reduce the allowance by each dollar of income a former president earns in excess of \$400,000.

"With the national debt quickly approaching \$20 trillion, we cannot afford to generously subsidize the perks of former presidents to the tune of millions of dollars," Ernst said in a Sept. 12 statement. She cited "former presidents raking in tens of millions of dollars from book deals, speaking engagements and more."

Then-President Barack Obama vetoed similar legislation last year, saying it "would impose onerous and unreasonable burdens on the offices of former presidents" and terminate staffers' salaries abruptly. The



House Oversight and Government Reform Committee approved a companion bill (H.R. 3739) by voice vote Sept. 13.

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(b)(5)

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<b>Subject:</b>	ACF Congressional Daily News - October 3, 2017
<b>Date:</b>	2017/10/03 10:55:10
<b>Priority:</b>	Normal
<b>Type:</b>	Note

**Administration for Children and Families**

**Office of Legislative Affairs and Budget**

**ACF Congressional Daily News for Tuesday, October 3, 2017**

**House and Senate Floor Activity**

The Senate and House meet at 10 a.m.

**OLAB Hearing Coverage**

On October 4, the House Energy and Commerce Committee will markup a bill concerning abstinence education and the PREP program. For a post-markup summary, please contact OLAB's Preeti Kanodia.

**Congressional Press Releases Related to ACF**

LIHEAP

ICYMI: Shea-Porter, Bipartisan Group of Members Press for More LIHEAP Funding – Rep. Shea-Porter (D-NH)

REFUGEE RESETTLEMENT

Hoyer Statement on the Trump Administration's Decision to Admit Fewer Refugees to the United States – Rep. Hoyer (D-MD)

## UNACCOMPANIED ALIEN CHILDREN

[Reps. Roybal-Allard & Jayapal Statement on White House Immigration Proposal](#) – Rep. Roybal-Allard (D-CA)

### **Congressional Daily News**

#### BUDGET

[RSC Budget Allows Conservatives to Lay Down Austere Marker](#) – Roll Call

Bloomberg Government reports on today's congressional activity below.

#### **What to Watch Today**

By James Rowley | October 3, 2017 8:53AM ET

Unable to repeal Obamacare or dramatically cut government spending, House Republicans will try to rally their party's socially conservative base with a floor vote today on a measure that would limit legal abortion.

The measure would permit abortion only in the first 20 weeks of pregnancy except in cases of rape, incest or a threat to a woman's life.

This will be the third time for consideration of this type of bill in the six years Republicans have held their House majority. In 2013 and 2015, the House passed legislation banning late-term abortions. Both measures died in the Senate, which Democrats controlled in 2013 and had the power to deploy the filibuster to block consideration in 2015.

Rep. Trent Franks (R-Ariz.), who has sponsored all three versions of the bill he calls the Pain-Capable Unborn Child Protection Act, said in a Twitter post yesterday that his legislation is urgently needed because "unborn babies feel pain by at least 20 weeks. Late, dismemberment abortions are too extreme for America."

Medical organizations such as the American Congress of Obstetricians and Gynecologists have disputed claims that fetuses feel pain at 20 weeks of gestation.



Many Republicans campaigned on promises to repeal Obamacare and bar Planned Parenthood, a leading abortion provider, from federal funding.

With efforts to repeal Obamacare having failed so far and legislation to overhaul the tax code still to be written, Republicans are pushing what lawmakers call message bills as a "compensatory gesture" to their political base, Rutgers University political scientist Russ Baker said.

"They need to compensate the right-to-life people who were such a big element" in their political coalition, said Baker.

An effort earlier this year to defund Planned Parenthood failed during spending negotiations for the remainder of fiscal 2017. Democrats used their leverage in those talks to craft the \$1.1 trillion spending package that rejected Trump's demand to cut \$18 billion from domestic programs.

The Supreme Court has upheld the legality of abortion through 24 weeks of pregnancy, when a fetus is generally believed to be capable of living outside the womb.

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<b>To:</b>	"Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
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<b>Date:</b>	2017/10/04 18:51:56
<b>Importance:</b>	High
<b>Priority:</b>	Urgent
<b>Type:</b>	Note

The wording reflected in the attached constitutes legal advice in the context of current and potential legal risks and proceedings.

*Confidential pre-decisional deliberative process and attorney client privilege*

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Matt Bowman  
Deputy General Counsel  
HHS OGC  
202.868.9791  
matthew.bowman@hhs.gov

<b>Sender:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
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<b>Date:</b>	2017/10/05 18:47:14
<b>Priority:</b>	Normal
<b>Type:</b>	Note

This is the injunction motion

#### Attorney client communication

<b>Sender:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
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<b>From:</b>	Bulletin Intelligence <HHS@BulletinIntelligence.com>
<b>To:</b>	"HHS@BulletinIntelligence.com"
<b>Subject:</b>	HHS Secretary's News Briefing for Friday, October 06, 2017
<b>Date:</b>	2017/10/06 05:59:53
<b>Priority:</b>	Normal
<b>Type:</b>	Note

## **HHS SECRETARY'S NEWS BRIEFING**

**FRIDAY, OCTOBER 6, 2017 6:00 AM EDT**

### **Top National Stories:**

#### **AS ACA ENROLLMENT NEARS, ADMINISTRATION KEEPS CUTTING FEDERAL SUPPORT OF THE LAW**

*Washington Post (10/5, Juliet Eilperin)*

The Washington Post reports on its front page that President Trump directly weighed in on Iowa's Section 1332 waiver request to implement a "stopgap measure" aimed at revitalizing its "ailing health-insurance marketplace." The Post reports that Trump "read about the request in a newspaper story," called then-Secretary of HHS Tom Price who was traveling in Asia and unavailable, and then the "president called Seema Verma, administrator of the Centers for Medicare and Medicaid Services, the agency charged with authorizing or rejecting Section 1332 applications." "Trump's message was clear, according to individuals who spoke on the condition of anonymity to discuss private conversations: Tell Iowa no." The president's "highly unusual intervention" in the Iowa waiver process comes amid claims from ACA advocates that the Administration "has done more to suppress the number of people signing up" for ACA plans "than to boost it."

**More Coverage.** [Trump Told HHS To Deny Request To Fix Iowa ObamaCare Market: Report](#) (The Hill, 10/5, Julia Manchester), [Trump Directed HHS To Deny Iowa's Proposal To Prevent Healthcare Market Collapse](#) (New York Daily News, 10/6)

#### **TRUMP ADMINISTRATION SET TO ROLL BACK BIRTH CONTROL MANDATE**

*New York Times (10/5, Robert Pear)*

The New York Times reports that the Trump Administration could issue new rules as early as Friday which would expand exemptions to the federal requirement that employers include "birth control coverage in their health insurance plans." The Times says, "More than 55 million women have access to birth control without co-payments because of the contraceptive coverage mandate, according to a study commissioned by the Obama administration." The new rule would exempt "any employer or insurer that objects to covering contraceptive services 'based on its sincerely held religious beliefs'" and any employers that have "moral convictions" against covering contraceptives. Dr. Haywood L. Brown, President of the American College of Obstetricians and Gynecologists, said, "Affordable contraception for women saves lives. It prevents pregnancies. It improves maternal mortality. It prevents adolescent pregnancies."

**More Coverage.** [Trump Administration To Narrow Affordable Care Act's Contraception Mandate](#) (Washington Post, 10/5, William Wan and Juliet Eilperin)

### **Health Reform, Marketplaces & Healthcare:**

#### **MANY STATES BLAME TRUMP, GOP FOR OBAMACARE PREMIUM INCREASES**



*The Hill* (10/5, Jessie Hellmann)

The Hill reports that 20 states are blaming ACA “premium increases next year” on “uncertainty caused by the Trump administration and Republicans in Congress,” an analysis conducted by Protect Our Care found. The group, which advocates the ACA, examined data from 28 states “where final, state-approved rates are public, and found that 20 specifically cited uncertainty at the federal level for at least part of the reason for increases.”

#### **JOHNSON THREATENS TO SUBPOENA OPM OVER OBAMACARE ‘CONGRESSIONAL EXEMPTION’**

*The Hill* (10/5, Rachel Roubein)

The Hill reports Sen. Ron Johnson (R-WI) says he will “subpoena documents from the Office of Personnel Management [OPM] over what he refers to as the ObamaCare ‘congressional exemption.’” The article says the senator “has criticized rules that allow members of Congress and their staff to receive employer contributions toward their ObamaCare health plans.” In a letter dated August 16, Johnson requested that OPM explain why this is allowed.

**More Coverage.** Sen. Ron Johnson Threatens To Subpoena OPM Over Obamacare ‘exemption’ (Washington Times, 10/5, Tom Howell Jr.)

#### **HIGHMARK’S OBAMACARE POLICIES TO RISE 25 PERCENT IN DELAWARE**

*Wilmington (DE) News Journal* (10/5)

The Wilmington (DE) News Journal reports Highmark Blue Cross Blue Shield will continue to offer ACA plans through Delaware’s exchange in 2018, but the insurer will raise rates by 25 percent. The company had actually requested an increase of 33.6 percent in June, but state insurance regulators reduced the figure. The article adds that Highmark will be the only ACA option for Delaware residents, since Aetna Inc. decided to exit the state’s marketplace.

**More Coverage.** Delawareans To Pay 25 Percent More For ACA Coverage (Associated Press, 10/5, Randall Chase)

#### **HOUSE DEM CALLS FOR BIPARTISAN TALKS TO FUND CHILDREN’S HEALTH CARE**

*The Hill* (10/5, Rachel Roubein)

The Hill reports Rep. Frank Pallone, Jr (D-NJ), the House Energy and Commerce Committee’s top Democrat, announced Thursday that “Republicans’ actions in Committee make it more difficult to come to a bipartisan agreement and will further delay reauthorization of” the Children’s Health Insurance Program, “Community Health Centers and other important public health laws.” The statement came after the committee approved a partisan measure Wednesday. Pallone called for renewed negotiations on the legislation. He added that funding for CHIP and community health centers has historically been a bipartisan issue, and said “that should not be any different this year.”

**More Coverage.** The GOP Is Holding Children Hostage, They Must Reauthorize CHIP (U.S. News & World Report, 10/5), Hospitals Brace For Unpaid Bills If GOP Balks On Children’s Healthcare (Forbes, 10/5, Bruce Japsen)

#### **SANDERS BLASTS PROPOSED MEDICARE CUTS: THESE ‘WILL KILL PEOPLE’**

*The Hill* (10/5, Niv Elis)

The Hill reports Sen. Bernie Sanders (I-VT) “berated his Republican colleagues on Thursday over proposed cuts to health spending” during the Senate Budget Committee markup of a Republican budget that outlined \$473 billion in cuts to Medicare and \$1 trillion to Medicaid. He said, “These are cuts that will kill people, these are cuts that will hurt people, and these are cuts that should not in a humane society be allowed to take place.” Sen. John Kennedy (R-LA) defended the proposal, saying, “Nobody up here wants to hurt Medicare. Nobody does. But we have to be mindful of the costs.”

**More Coverage.** Democrats Attack Republican Budget’s Changes To Healthcare Programs

(Washington Examiner, 10/5)

### **TOM PRICE'S FLIGHT REIMBURSEMENT CHECK TO US TREASURY HAS BEEN PROCESSED**

*CNN (10/5, Sophie Tatum and Rene Marsh)*

CNN reports the Department of Health and Human Services confirmed Thursday that former Secretary Tom Price paid \$51,887.31 prior to his resignation to reimburse taxpayers for the cost of his seats on private flights. CNN adds that the "total cost of the travel was estimated to be in the hundreds of thousands of dollars and his check was to cover his seat on the flights rather than the entire cost of the flights."

**More Coverage.** [Tom Price Did Reimburse Government For Seats On Private Jets](#) (Washington Examiner, 10/5), [Price's \\$51K Check To HHS For Private Flights Processed](#) (The Hill, 10/5, Josh Delk)

### **FEDS ACTIVATE EMERGENCY PRESCRIPTION PROGRAM FOR UNINSURED PUERTO RICANS**

*The Hill (10/5, Jessie Hellmann)*

The Hill reports that the Department of Health and Human Services has launched the Emergency Prescription Assistance Program (EPAP), which "will pay for prescription medications for uninsured Puerto Ricans impacted by Hurricane Maria." Dr. Robert Kadlec, HHS's assistant secretary for preparedness and response, said, "We are dedicated to helping these Americans living in Puerto Rico meet their medical needs during this disaster, and I encourage uninsured residents to take advantage of this vital assistance."

### **GRAHAM BRINGS 20-WEEK ABORTION BAN TO SENATE WITH 45 CO-SPONSORS**

*The Hill (10/5, Jessie Hellmann)*

The Hill reports that Sen. Lindsey Graham (R-SC) on Thursday proposed the "Pain-Capable Unborn Child Protection Act," a 20-week ban on abortion backed by "45 GOP senators." The article says a "similar bill passed the House" two days ago, but Graham's bill is unlikely to pass the upper chamber. The measure "would make it illegal for any person to perform or attempt an abortion after 20 weeks of pregnancy with the possibility of five years in prison, fines or both."

**More Coverage.** [Abortion Fight May Draw Trump's Filibuster Wrath](#) (Politico, 10/5, Burgess Everett), [Lindsey Graham Says He Doesn't Support Ending Filibuster As He Introduces Abortion Ban](#) (Washington Examiner, 10/5), [Cheney Backs 'Fetal Pain' Abortion Ban In Congress](#) (Casper (WY) Star-Tribune, 10/5)

### **CAR CRASH DEATH RATES HIGHEST IN REMOTEST RURAL AREAS**

*Reuters (10/5)*

Reuters reports fatalities from car crashes grow as population density decreases, due partially to a difference in seat belt usage, according to a CDC study. Lead study author Laurie Beck of the CDC said, "We already knew that death rates were higher and seat belt use was lower in rural versus urban areas. This study expanded those findings to show that, even within rural areas, there are differences in passenger-vehicle occupant death rates and seat belt use."

### **DRUGMAKERS IN STORM-BATTERED PUERTO RICO MUST NOW RIDE OUT RECOVERY**

*Bloomberg News (10/4, Michelle Cortez and Jared S Hopkins)*

Bloomberg News reports that while pharmaceutical companies "rode out Hurricane Maria in Puerto Rico," it is "likely to be tougher" to keep their facilities "running while the devastated island picks up the pieces." Speaking about the hurricane's impact, FDA Commissioner Dr. Scott Gottlieb said, "I've never seen something on this scale. This is an existential risk we face as a nation." The FDA "is monitoring the production of about 40 drugs from 10 companies, including 13 that are made only in Puerto Rico." While "none of the companies with operations on the island have said they expect shortages as a result of Maria, having stocked up inventories ahead of the storm," industry analysts "are concerned that bottlenecks could develop as Maria's effects



linger.”

### **SENATE PANEL TO HOLD DRUG PRICING HEARING AFTER DELAY**

*The Hill (10/5, Nathaniel Weixel)*

The Hill reports that the Senate Health Committee “will hold a second hearing as part of the panel’s investigation into high cost drugs after the committee’s chairman delayed the hearing for months due to partisan fighting over ObamaCare repeal.” According to Sen. Lamar Alexander (R-TN), the committee chairman, the hearing will be a “deeper dive” into the prescription drug process “beginning with a manufacturer’s development of a drug, the different steps through which the drug travels before arriving in the patient’s hands, how this is paid for, and what the costs are at each of the different steps.”

## **Opioid News:**

### **OPIOID EPIDEMIC ‘GETTING WORSE INSTEAD OF BETTER,’ PUBLIC HEALTH OFFICIALS WARN**

*USA Today (10/5, Michael Collins)*

USA Today reports Dr. Francis Collins, the director of the National Institutes of Health, said at a Senate hearing on the opioid crisis, “We need all hands on deck.” Collins “said more emphasis must be placed on alternative treatments, such as acupuncture, which might be effective in treating pain and would keep people from getting addicted to drugs.” Dr. Debra Houry, the director of the Centers for Disease Control and Prevention’s National Center for Injury Prevention and Control, testified at a Senate hearing that the opioid crisis “is one of the few public health problems that is getting worse instead of better.”

**More Coverage.** [Senators, Agencies Plot Ways To Head Off Opioids Addiction](#) (Washington Times, 10/5, Tom Howell Jr.), [NIH Director Pushes For Research On Non-opioid Pain Treatments](#) (The Hill, 10/5, Rachel Roubein), [Sen. Alexander Kicks Off Series Of Capitol Hill Hearings Addressing Opioid Crisis](#) (Chattanooga (TN) Times Free Press, 10/6, Elizabeth Fite)

### **TOP MENTAL HEALTH RESEARCHER SUGGESTS LINK BETWEEN OPIOID OVERDOSES AND SUICIDES**

*Huffington Post (10/5)*

The Huffington Post reports that Joshua A. Gordon, MD, PhD, the director of the National Institute of Mental Health, “believes that there may be a stronger link between the opioid epidemic and suicide than previously realized.” Dr. Gordon said, “There are, of course, links between addictions in general and opioid addictions in particular and suicide. There is a lot of concern that many of the overdose deaths could be suicides. We need to learn more about the prevalence of suicidality amongst opioid addicted individuals.”

### **CLEANING UP ‘METHADONE MILE’ AND OTHER DRUG HAVENS**

*Associated Press (10/5, Philip Marcelo)*

The AP reports on the “Methadone Mile” in Boston, a segment “of Massachusetts Avenue south of downtown where methadone clinics, sober homes and other drug treatment services have” proliferated next to Boston Medical Center. The article says the stretch has “become the city’s most visible symbol of the national opioid crisis.”

### **NEW JERSEY SUES DRUGMAKER INSYS OVER OPIOID PAINKILLER**

*Wall Street Journal (10/5, Sara Randazzo)*

The Wall Street Journal reports New Jersey filed a lawsuit against opioid manufacturer Insys Therapeutics Inc on Thursday. Massachusetts recently announced a \$500,000 settlement with the company following a similar lawsuit.

**More Coverage.** [New Jersey Sues Insys As Opioid Maker Settles With Massachusetts](#) (Reuters, 10/5, Nate Raymond), [NJ Sues Insys Over Opioid-fentanyl Drug Subsys](#) (North Jersey (NJ) Media Group, 10/5, Dustin Racioppi), [New Jersey Sues Painkiller Company, Calls Its Conduct](#)

'Evil' (Associated Press, 10/5), N.J. Sues Major Opioids Maker Over 'Evil' Practices (NJ News, 10/5, S.P. Sullivan), New Jersey Sues Fentanyl Drug Maker (Daily Caller, 10/5, Steve Birr)

### **THE LAWYER WHO BEAT BIG TOBACCO TAKES ON THE OPIOID INDUSTRY**

*Bloomberg News (10/5, Esmé E. Deprez and Paul Barrett)*

Bloomberg News reports that Mississippi's Mike Moore, who years ago was "the first state AG to sue tobacco companies for lying about nicotine addiction and hold them accountable for sick smokers' health-care costs," is turning his focus to the opioid crisis after his nephew almost suffered a fatal overdose.

### **FIRE CHIEFS URGE LAWMAKERS TO ACT ON OPIOID CRISIS**

*Associated Press (10/5)*

The AP reports the Connecticut Fire Chiefs Association this week issued "a statement...urging legislators to address opioid abuse." The article says association members support stricter "laws for people caught dealing narcotics and better recovery options for drug users." The story adds that drug overdose fatalities "in Connecticut have significantly increased in recent years," according to CDC data.

## **Blogs:**

### **REDUCING THE EXTERNALITIES CAUSED BY LIMITED BENEFIT PLANS**

*Health Affairs (10/5, Katherine Hempstead)*

Katherine Hempstead writes for the Health Affairs blog that harm to customers posed by "limited benefit or non-Affordable Care Act (ACA)-compliant health insurance products" is "neither necessary nor sufficient to make the case that limited benefit plans are bad for the market." Without the limited benefit option, it is not known how many of potentially more than 7 million customers would pursue ACA-compliant plans or go without insurance at all, and the limited benefit plans create "negative externalities in the ACA-compliant market" that may need to be regulated as "a recent analysis showed that nearly all states with adverse market outcomes have permitted the sales of limited coverage and transition products."

### **THE CHRONIC CARE ACT PASSES SENATE, OBSTACLES REMAIN**

*Health Affairs (10/5, Billy Wynne)*

Billy Wynne writes for the Health Affairs blog that with the Senate's passage Tuesday of the Creating High-Quality Results and Outcomes Necessary to Improve Chronic (CHRONIC) Care Act. The post outlines at length "the key components of the legislation, assesses its outlook in the House, and considers what its progress may tell us about the prospect for more bipartisan action on health care in the future."

### **NINE MILLION CHILDREN FALL VICTIM TO BACK-AND-FORTH BY LAWMAKERS**

*Think Progress (10/5, E. A. Crunden)*

E. A. Crunden writes for Think Progress that lawmakers are "engaged in a precarious back-and-forth" over funds for the Children's Health Insurance Program after Congress allowed the program to expire. On Monday, House Republicans proposed tacking \$1 billion in aid to Puerto Rico onto a proposal "funding CHIP for the next five years" while raising Medicare rates for "higher-income seniors" and "redirecting the ACA's prevention funds." Democrats support the program but don't want money taken from the ACA or Medicare.

## **Opinion:**

### **WILL TRUMP TRUMPIFY THE FED?**

*New York Times (10/6, Paul Krugman)*

Paul Krugman writes in his New York Times column that it appears "Rex Tillerson has demoralized and degraded the State Department to the point of uselessness." Krugman says former HHS Secretary Tom Price "did much the same to Health and Human Services before



jetting off.” He adds that “similar stories are unfolding throughout the executive branch.”

### **HOUSE REPUBLICANS’ UNFORGIVING ASSAULT ON THE FREEDOM TO CHOOSE**

*Washington Post (10/5)*

In an editorial, the Washington Post criticizes the House’s passage of a measure to “ban abortions of fetuses that have passed 20 weeks of gestation.” The Post calls the bill “an unforgiving assault on the freedom to choose,” and adds that the fact that the Senate “almost certainly will not pass the bill,” does not matter because Republicans “need money and passion from antiabortion groups, who insisted on moving the bill.” The Post points out that one of the measure’s co-sponsors, Rep. Tim Murphy, on Thursday announced his resignation over a scandal in which he appeared to have pressed a mistress to have an abortion after a pregnancy scare. The Post notes that the American Congress of Obstetricians and Gynecologists “says that fetuses cannot feel pain at 20 weeks.”

### **THE HEALTH 202: THE HEALTH-CARE FIGHT IS BACK – AS PART OF THE GOP’S TAX OVERHAUL.**

*Washington Post (10/5, Paige Winfield)*

Paige Winfield writes in the Washington Post “The Health 202” that Republicans are making another attempt to cut Medicaid spending in their tax reform proposal. She says the Senate Budget Committee “will consider a resolution that instructs lawmakers to find ways to reduce Medicaid spending by \$1 trillion (and Medicare spending by \$473 billion) over the next decade.” Winfield adds that these cuts are much deeper than the ones proposed in Republicans’ ACA repeal efforts, and “the GOP could barely advance those bills.”

### **A SINGLE-PAYER LITMUS TEST WON’T HELP THE PROGRESSIVE AGENDA**

*Los Angeles Times (10/5, Tom Epstein)*

Tom Epstein writes in a Los Angeles Times op-ed that the ACA remains the law of the land, after Republican’s latest effort to repeal it failed. He says “many Democrats are embracing a single-payer ‘Medicare for all’ system as the next step in healthcare reform,” yet “making single-payer the top priority now could jeopardize the gains made since passage of the Affordable Care Act, which is still being sabotaged by the Trump administration.”

### **AUTOPSY OF A FAILED HEALTH INSURANCE EXPERIMENT: DID IT DIE OF NATURAL CAUSES, OR WAS IT MURDERED?**

*Huffington Post (10/5, Anthony W. Orlando)*

Contributor Anthony W. Orlando writes in a Huffington Post piece that “quietly – so quietly that almost no one noticed – the Department of Health and Human Services pulled another Jenga block out of the teetering tower that is the Affordable Care Act.” While the ACA “did not fall,” it became more expensive. Orlando says HHS failed to process Oklahoma’s 1332 waiver request which sought to lower premiums for ACA plans, and as a result, premiums for next year will be high. He wonders if that was “HHS’s intent all along,” and posits there is “malfeasance happening inside HHS.”

### **DO AMERICANS FEEL DIFFERENTLY ABOUT HEALTH CARE NOW THAT TRUMP IS PRESIDENT?**

*Huffington Post (10/5, Laura Adams)*

Contributor Laura Adams writes in the Huffington Post that President Trump “may have been elected for his strong stance against the Affordable Care Act,” but his Administration “has done little to change Americans’ attitude toward the nation’s health care system as more than half of the population feels the same about Obamacare as they did before the 2016 presidential race.” She adds that according to a recent survey conducted by Princeton Survey Research Associates International on behalf of insuranceQuotes, “53 percent of Americans’ opinion toward the ACA...has not budged.”

### **HHS PROPOSAL WOULD HURT HEALTH-CARE PROVIDERS AND THEIR MOST VULNERABLE PATIENTS**

*The Hill* (10/5, former Rep. Philip Gingrey (r-Ga.))

Former Rep. Philip Gingrey (R-GA) writes in an op-ed for *The Hill* that while Congress continues to debate the ACA's fate, "a significant change is making its way through the regulatory process that could dramatically reduce affordable access to prescription therapies for some of the nation's most vulnerable patients." Gingrey says CMS is proposing "drastic cuts to the 340B Drug Pricing Program, which provides the nation's safety-net hospitals and health-care facilities affordable access to prescription drugs for the many low-income patients that they serve." He warns that if CMS does not withdraw the proposal, "we put patients at risk."

#### **ANOTHER HIDDEN ACA ATTACK**

*The Hill* (10/5, Frederick Isasi and Stan Dorn)

Frederick Isasi and Stan Dorn write in *The Hill* "Congress Blog" that some are "characterizing the new Senate budget bill and related tax legislation as signs that the Republicans have temporarily stopped their fight against the Affordable Care Act (ACA) and Medicaid." However, "hidden in the budget bill's underbelly are carefully crafted measures that lay the groundwork for another, purely partisan assault on Americans' health insurance."

#### **TRUMP WANTS TO SELL HEALTH INSURANCE ACROSS STATE LINES. WHY THAT'S A BAD IDEA**

*Philadelphia (PA) Inquirer* (10/5, Drew A. Harris)

Drew A. Harris, DPM, MPH, writes in a *Philadelphia Inquirer* op-ed that following the collapse of Senate Republicans' latest ACA repeal bill, President Trump "announced that he is issuing an executive order allowing the sale of health insurance across state lines." Harris says it remains "unclear whether he has the authority to do this, but this has long been proposed as a way to lower premiums." He argues, "If unfettered interstate sale of health policies is allowed, it's fairly certain that some states will weaken their health insurance regulations to attract new business, starting a race to the bottom."

### **National Front Page News:**

#### **HEADLINES FROM TODAY'S FRONT PAGES.**

##### ***Wall Street Journal:***

Russian Hackers Stole NSA Data On US Cyber Defense

From Broken Home To Real-Estate Riches: The Life Of The Las Vegas Shooter

No End In Sight For Stocks' Longest Streak In 20 Years

Shale Juggernaut Shows Signs Of Fatigue

##### ***New York Times:***

Trump Is Expected To 'Decertify' The Iran Deal And Let Congress Deal With The Fallout

Decades Of Sexual Harassment Accusations Against Harvey Weinstein

For Republican Leaders In Congress, The Headaches Keep Mounting

Search For A Motive In Las Vegas: Slow But 'We'll Get There'

Kazuo Ishiguro Is Awarded The Nobel Prize In Literature

Deadly Ambush Of Green Berets In Niger Belies A 'Low-Risk' Mission

Catalonia Separatism Revives A Long-dormant Spanish Nationalism

##### ***Washington Post:***

President's Iran Decision Imperils Vital Alliances

Trump Likely To 'Decertify' Deal With Iran

ACA Supporters See Sabotage In Cuts For Funds, Enrollment

A New Lifesaving Approach Is Put To The Test

New Organ Leads The 'Chaaargel' At Nats Park

NRA: Restrict Rapid-Fire Gun Adapter



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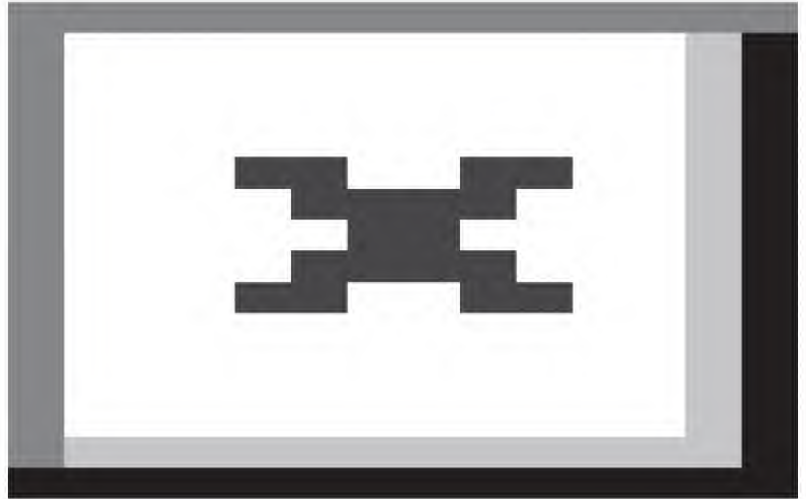
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<b>Subject:</b>	RE: Fiscal Year 2018 Opening Guidance for Executive Performance Plans - Due by October 1
<b>Date:</b>	2017/10/06 11:16:31
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

(b)(5)

Let me know if you want me to review the plan and see if I can find where they align.





---

**From:** Lloyd, Scott (ACF)  
**Sent:** Friday, October 06, 2017 10:31 AM  
**To:** White, Laura (ACF)  
**Subject:** FW: Fiscal Year 2018 Opening Guidance for Executive Performance Plans - Due by October 1

I don't understand this:

"Identify the strategic alignment document for each result driven element."

Any insight?

---

**From:** White, Laura (ACF)  
**Sent:** Friday, October 06, 2017 8:48 AM  
**To:** Lloyd, Scott (ACF)  
**Subject:** Fiscal Year 2018 Opening Guidance for Executive Performance Plans - Due by October 1

Scott,

(b)(5)

Thanks,  
Laura

<b>Sender:</b>	White, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR>
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<b>Sent Date:</b>	2017/10/06 11:16:20
<b>Delivered Date:</b>	2017/10/06 11:16:31

<b>From:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"; "Wagner, Steven (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3cec05da51ab4c7c978051f08d947637-Wagner, Jam>"
<b>Subject:</b>	Fwd: draft mem in opp re plaintiff's motion to amend
<b>Date:</b>	2017/10/09 12:18:22
<b>Priority:</b>	Normal
<b>Type:</b>	Note

I've also heard we will getting an amicus brief tomorrow from Texas and various states.

Attorney-client communication

Begin Forwarded Message:

**From:** "Tomlinson, Martin M. (CIV)" <Martin.M.Tomlinson@usdoj.gov>  
**Subject:** RE: draft mem in opp re plaintiff's motion to amend  
**Date:** 09 October 2017 11:59  
**To:** "Bowman, Matthew (HHS/OGC)" <Matthew.Bowman@hhs.gov>,  
"Haas, Alex (CIV)" <Alex.Haas@usdoj.gov>, "Phipps, Peter (CIV)"  
<Peter.Phipps@usdoj.gov>, "Haron, Judith (HHS/OGC)"  
<Judith.Haron@HHS.GOV>, "Woolford, Llewellyn (HHS/OGC)"  
<Llewellyn.Woolford@HHS.GOV>  
**Cc:** "Ricketts, Jennifer D (CIV)" <Jennifer.D.Ricketts@usdoj.gov>,  
"McElvain, Joel L (CIV)" <Joel.L.McElvain@usdoj.gov>

All,

Please find attached copies of the two opposition pleadings we filed today with the Court, as well as the opposition filed by USCCB. Thank you so much for your invaluable help with this. We will obviously keep you posted as to further developments. Hope you all enjoy the rest of your holiday weekends.

Martin M. Tomlinson  
Trial Attorney | U.S. Department of Justice  
Civil Division | Federal Programs Branch  
20 Massachusetts Ave., NW, Room 6134  
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<b>Sent Date:</b>	2017/10/09 12:18:21
<b>Delivered Date:</b>	2017/10/09 12:18:22

<b>From:</b>	(b)(6)@iestex.org>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Brooks, Teresa (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a2883a19e184fffb906bb06591b568a-Brooks, Ter>"
<b>Subject:</b>	Fw: State Court hearing
<b>Date:</b>	2017/10/09 13:14:27
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Good Morning Mr. Lloyd,

I am writing to request further guidance regarding the following, I realize now I may have missed the opportunity to ask these questions to Mr. Wagner (AUSA) during our debriefing and i apologize for that but the following matters have arise and I am in need of guidance...

- • Since the "Jane Doe Due Process" case has been transferred to federal court, does any portion of the previously issued state court restraining order remain in place?? Such as the stipulations prohibiting care provider from
  - • "Disturbing the peace of the child Petitioner" ...this was explained to us by UAC's attorneys as all care provider staff must refrain from speaking with UAC about her pregnancy, "her baby", or her "decision to terminate"examples provided by attorneys were
    - • No sonograms
    - • No forcing UAC to listen to baby's heart rate
    - • No referring to UAC's baby or seeking discussion or making comments about her gestational period, her pregnancy expectations, her feelings, etc...
    - • No "encouraging" her to discuss or make contact with her parents
    - • No "religion based" counseling regarding
  - • Care provider must refrain from "Making remarks to child petitioner's family that concern petitioner's pregnancy"....
  - • "Discussing any litigation concerning the child Petitioner in the presence or within hearing of the child Petitioner or on any form of social media"



- UAC has a OB/GYN appointment for basic prenatal care with Dr. Torres this afternoon at 2:30p.m. (CST), please note that OB Dr. Torres is not aware UAC has requested to terminate pregnancy, Dr. Torres is not aware of current litigation regarding the case of this minor, is care provider to discuss these matters directly with Dr. Torres??? Should the child be informed that care provider will discuss her request to terminate and current litigation with OB?
- If UAC attends this prenatal care appointment, is the doctor to proceed with sonogram ???
- Is child allowed to contact parents?? Her parents are named in the suit as "inflicting abuse on minor" is UAC able to make contact despite this claim" If UAC requests to make contact with mother/father is care provider to allow contact, if allowed is all contact to be monitored or may the UAC make contact with out monitoring?

Please advise, thank you so much in advance for your guidance!

---

**From:** Lloyd, Scott (ACF) <Scott.Lloyd@acf.hhs.gov>

**Sent:** Monday, October 9, 2017 10:02 AM

**To:** Brooks, Teresa (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** RE: State Court hearing

Teresa,

Many thanks for your work on this, and thank you for the update. I was very much reassured to know that you would be present this morning.

Barring any additional need to wrap things up with IES, please return to the rest of your day off. Let us know if you need anything—I am sure things will continue throughout the week.

Sincerely,  
Scott

---

**From:** Brooks, Teresa (ACF)

**Sent:** Monday, October 09, 2017 10:57 AM

**To:** Lloyd, Scott (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** Re: State Court hearing

Please be advised that at approximately 8:35 am CT, the Cameron County Judge, attorneys from Garza and Garza, who are/were representing the UAC at the State level, the UAC, and Mr. Paxton Warner, AUSA from the DOJ met in the Judge's chambers in

a closed proceeding. Mr. Lucio, attorney for the IES staff, was also in chambers, as an observer to the proceeding as he has clients who have been affected by the legal process of the matter. DHS ICE ERO Officer, Eva Sanchez, was present at the Courthouse, outside of the courtroom and chambers. I was asked to wait immediately outside of the Judge's chambers.

During the discussion in chambers, Mr. Warner left chambers to inquire as to if the UAC had been "forced" to speak to her parents. I advised that the UAC had been afforded the right to speak to either or both of her parents since arriving into ORR custody, but to my awareness had not chosen to do so to date. It should be noted that the IES program did obtain a contact number for the UAC's father as the UAC had stated that she wished to speak to him at one time. Mr. Warner also asked if the IES program could provide the UAC could be provided with a new case manager as the UAC has stated that the current case manager was not effectively managing the UAC's case. (This is presumed to be referring to a possible family reunification case. At this time, it is my understanding that no viable sponsor has been identified for the UAC.) I informed Mr. Warner that IES would identify an appropriate case manager to assume oversight of the UAC's case. Finally, Mr. Warner stated that the attorneys for the UAC were concerned that an IES staff member was always within a visual "line of sight" of the UAC and the attorneys felt that this was not allowing the client sufficient privacy. I explained to Mr. Warner, that in accordance to TDFPS licensing standards, the attorneys are not considered trained child care providers, and in order to maintain standards of care, the staff needed to maintain sight of the UAC, but were not in able to hear/overhear any confidential attorney- client communication.

Mr. Warner took the information back to chambers. When Mr. Warner returned he advised that the UAC should be returned to her placement at the IES shelter program in Los Fresnos, TX. Mr. Warner stated that the case, in its entirety, had been moved to a Federal court venue. Mr. Warner advised that the attorneys from Garza and Garza would continue to represent the UAC in the case.

Mr. Lucio conferred with the IES staff, whom he was representing today. Mr. Warner thanked the IES staff for their efforts in caring for this UAC and all of the UAC that IES cares for.

All parties were advised that they/we were free to leave the courthouse. I thanked the DHS ICE ERO Officer for her support, and instructed IES to transport the UAC back to the program site. All parties exited the courthouse at approximately 9:45 am CT.

Please advise as to if there are any questions or if additional information is needed regarding this message.

Teresa

Teresa Brooks  
Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCO

202.631.3775

[Teresa.Brooks@acf.hhs.gov](mailto:Teresa.Brooks@acf.hhs.gov)

---

On: 08 October 2017 18:58, "Brooks, Teresa (ACF)" <[Teresa.Brooks@ACF.hhs.gov](mailto:Teresa.Brooks@ACF.hhs.gov)> wrote:

Please see the attached with regard to the request to DHS ICE ERO for the presence of a DHS ICE ERO Officer at the 107<sup>th</sup> District Court in Cameron County Texas on Monday, October 9, 2017.

Please advise as to if there are any questions concerning the DHS ICE ERO request or response.

Please be advised that, to remain in compliance with Texas Department of Family Protective Services Residential Child Care Licensing Standards, appropriate IES staff will be transporting the UAC from the IES Shelter Program to the Courthouse building. Additional IES staff who are required to be present at the District Court will arrive to the Courthouse apart from the UAC. I will be meeting with all of the IES staff and with the DHS ICE ERO Officer, either immediately outside of the Court building, or in the lobby of the building. We will then proceed to the identified area of the Courthouse.

Please advise of any additional instruction as is felt appropriate.

Sincerely,

Teresa

Teresa Brooks  
Federal Field Specialist Supervisor, South Texas  
HHS ACF ORR DUCO  
202.631.3775  
[Teresa.Brooks@acf.hhs.gov](mailto:Teresa.Brooks@acf.hhs.gov)

---

**From:** Brooks, Teresa (ACF)

**Sent:** Sunday, October 08, 2017 5:20 PM

**To:** Lloyd, Scott (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** Re: State Court hearing

I can be at the Courthouse at 8:30 am CT as requested.

I can attempt to reach Officer (b)(6) who is the covering Officer for the FOJC now to see if there is an ICE Officer who is able to be present at the Court tomorrow morning.

I will update all appropriate parties of outcome of the contact with ICE.



Teresa

Teresa Brooks  
Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCO  
202.631.3775  
Teresa.Brooks@acf.hhs.gov

---

On: 08 October 2017 16:46, "Lloyd, Scott (ACF)" <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)> wrote:

Hello everyone,

Please see below. There should be no hearing tomorrow. However, there is need to have the UAC brought to the courthouse at the time appointed, to avoid contempt while we confirm that the state court knows the case has been removed. Teresa I'd like you there if at all possible, or field staff in the alternative. I will ask that DOJ contact us if they receive confirmation and this becomes unnecessary.

Teresa, are you in contact with anyone from DHS (ICE seems most appropriate) who could ride along? If you need help I can help get someone.

If she goes to the courthouse the point would be to inform them that the case has been removed. There should be no transfer of custody and federal law enforcement could help us reinforce that point.

Please let me know if you have any questions.

Thank you,  
Scott

Begin Forwarded Message:

**From:** "Haas, Alex (CIV)" <[Alex.Haas@usdoj.gov](mailto:Alex.Haas@usdoj.gov)>

**Subject:** State Court hearing

**Date:** 08 October 2017 17:25

**To:** "Bowman, Matthew (HHS/OGC)" <[Matthew.Bowman@hhs.gov](mailto:Matthew.Bowman@hhs.gov)>, "Lloyd, Scott (ACF)" <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)>

**Cc:** "Ricketts, Jennifer D (CIV)" <[Jennifer.D.Ricketts@usdoj.gov](mailto:Jennifer.D.Ricketts@usdoj.gov)>, "Hu, Daniel (USATXS)" <[Daniel.Hu@usdoj.gov](mailto:Daniel.Hu@usdoj.gov)>, "Warner, Paxton (USATXS)" <[Paxton.Warner@usdoj.gov](mailto:Paxton.Warner@usdoj.gov)>, "Fabian, Sarah B (CIV)" <[Sarah.B.Fabian@usdoj.gov](mailto:Sarah.B.Fabian@usdoj.gov)>

Matt/Scott,

Our colleagues from the USAO just filed the removal papers in federal court and also filed a notice

electronically in state court. While this should be enough to deprive the state court of jurisdiction, we are also sending a AUSA to hand a copy to the judge as well.

Because the state court order is directed to individuals working at IES who could still be held in contempt (potentially), our strong recommendation would be for the minor to be sent with the federal field specialist to the court proceeding. With that federal officer there and the AUSA we think there is a very small likelihood of any shenanigans. You could also potentially ask someone from ICE or CBP to attend to the transport.

Please let me know if you'd like to discuss

Alex

Sent from my Verizon, Samsung Galaxy smartphone

<b>Sender:</b>	(b)(6)@iestex.org>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Brooks, Teresa (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a2883a19e184fffb906bb06591b568a-Brooks, Ter>"
<b>Sent Date:</b>	2017/10/09 13:14:12
<b>Delivered Date:</b>	2017/10/09 13:14:27

<b>From:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Haas, Alex (CIV) <Alex.Haas@usdoj.gov>"
<b>Subject:</b>	Re: Legal guidance needed
<b>Date:</b>	2017/10/09 13:35:13
<b>Priority:</b>	Normal
<b>Type:</b>	Note

(b)(5)

On: 09 October 2017 13:16, "Lloyd, Scott (ACF)" <Scott.Lloyd@acf.hhs.gov> wrote:  
Privileged

Matt / Alex,

(b)(5)



Thank you,  
Scott

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]  
**Sent:** Monday, October 09, 2017 1:14 PM  
**To:** Lloyd, Scott (ACF)  
**Cc:** White, Jonathan (ACF); Brooks, Teresa (ACF)  
**Subject:** Fw: State Court hearing

Good Morning Mr. Lloyd,

I am writing to request further guidance regarding the following, I realize now I may have missed the opportunity to ask these questions to Mr. Wagner (AUSA) during our debriefing and i apologize for that but the following matters have arise and I am in need of guidance...

- • Since the "Jane Doe Due Process" case has been transferred to federal court, does any portion of the previously issued state court restraining order remain in place?? Such as the stipulations prohibiting care provider from
  - • "Disturbing the peace of the child Petitioner" ...this was explained to us by UAC's attorneys as all care provider staff must refrain from speaking with UAC about her pregnancy, "her baby", or her "decision to terminate"examples provided by attorneys were
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  - • Care provider must refrain from "Making remarks to child petitioner's family that concern petitioner's pregnancy"....
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- • UAC has a OB/GYN appointment for basic prenatal care with Dr. Torres this afternoon at 2:30p.m. (CST), please note that OB Dr. Torres is not aware UAC has requested to terminate pregnancy, Dr. Torres is not aware of current litigation

regarding the case of this minor, is care provider to discuss these matters directly with Dr. Torres??? Should the child be informed that care provider will discuss her request to terminate and current litigation with OB?

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Please advise, thank you so much in advance for your guidance!

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**Sent:** Monday, October 9, 2017 10:02 AM

**To:** Brooks, Teresa (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

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Teresa Brooks  
Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCCO  
202.631.3775  
[Teresa.Brooks@acf.hhs.gov](mailto:Teresa.Brooks@acf.hhs.gov)



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Sincerely,

Teresa

Teresa Brooks  
Federal Field Specialist Supervisor, South Texas  
HHS ACF ORR DUCCO  
202.631.3775  
[Teresa.Brooks@acf.hhs.gov](mailto:Teresa.Brooks@acf.hhs.gov)

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**Sent:** Sunday, October 08, 2017 5:20 PM  
**To:** Lloyd, Scott (ACF); White, Jonathan (ACF); Jessica Martinez  
**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)  
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Teresa Brooks

Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCO  
202.631.3775  
Teresa.Brooks@acf.hhs.gov

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Teresa, are you in contact with anyone from DHS (ICE seems most appropriate) who could ride along? If you need help I can help get someone.

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Please let me know if you have any questions.

Thank you,  
Scott

Begin Forwarded Message:

**From:** "Haas, Alex (CIV)" <[Alex.Haas@usdoj.gov](mailto:Alex.Haas@usdoj.gov)>

**Subject:** State Court hearing

**Date:** 08 October 2017 17:25

**To:** "Bowman, Matthew (HHS/OGC)" <[Matthew.Bowman@hhs.gov](mailto:Matthew.Bowman@hhs.gov)>, "Lloyd, Scott (ACF)" <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)>

**Cc:** "Ricketts, Jennifer D (CIV)" <[Jennifer.D.Ricketts@usdoj.gov](mailto:Jennifer.D.Ricketts@usdoj.gov)>, "Hu, Daniel (USATXS)" <[Daniel.Hu@usdoj.gov](mailto:Daniel.Hu@usdoj.gov)>, "Warner, Paxton (USATXS)" <[Paxton.Warner@usdoj.gov](mailto:Paxton.Warner@usdoj.gov)>, "Fabian, Sarah B (CIV)" <[Sarah.B.Fabian@usdoj.gov](mailto:Sarah.B.Fabian@usdoj.gov)>

Matt/Scott,

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Because the state court order is directed to individuals working at IES who could still be held in contempt

(potentially), our strong recommendation would be for the minor to be sent with the federal field specialist to the court proceeding. With that federal officer there and the AUSA we think there is a very small likelihood of any shenanigans. You could also potentially ask someone from ICE or CBP to attend to the transport.

Please let me know if you'd like to discuss

Alex

Sent from my Verizon, Samsung Galaxy smartphone

<b>Sender:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Haas, Alex (CIV) <Alex.Haas@usdoj.gov>"
<b>Sent Date:</b>	2017/10/09 13:35:12
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<b>Subject:</b>	Re: State Court hearing
<b>Date:</b>	2017/10/09 13:53:44
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Received, we will proceed as recommended. UAC does not have a counseling session today, we will for further guidance, thank you !!

(b)(6)  
 IES EMERGENCY SHELTER  
 Los Fresnos, Texas

Sent from my iPhone

On Oct 9, 2017, at 12:49 PM, Lloyd, Scott (ACF) <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)> wrote:

(b)(6)

Regarding the appointment today:

Make sure that the UAC knows that this is to get an update on whether it is really necessary to have her exercise so severely restricted—to find out if it might be possible to allow her to do more. Please get her to consent to the appointment. If she does not want it, she does not have to go—we arranged it to accommodate her distress over lack of physical activity. This was a concern she voiced to the program and that we noticed in her record. We are trying to be responsive to her concerns with this request.

If they offer her a sonogram at the appointment, please remind the doctor that she has already had two and suggest that it is not necessary, and that it should not happen in any case if she does not give consent.

Regarding your other questions—if she has a counseling session today, please contact me. If not, let's wait for DOJ's response.

Let me know if you have any questions.

Thank you,  
Scott

---

**From:** (b)(6) [mailto:(b)(6)@iestex.org]  
**Sent:** Monday, October 09, 2017 1:14 PM  
**To:** Lloyd, Scott (ACF)  
**Cc:** White, Jonathan (ACF); Brooks, Teresa (ACF)  
**Subject:** Fw: State Court hearing

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    - • No referring to UAC's baby or seeking discussion or making comments about her gestational period, her pregnancy expectations, her feelings, etc...
    - • No "encouraging" her to discuss or make contact with her parents
    - • No "religion based" counseling regarding
  - • Care provider must refrain from "Making remarks to child petitioner's family that concern petitioner's pregnancy"....
  - • "Discussing any litigation concerning the child Petitioner in the presence or within hearing of the child Petitioner or on any form of social media"

- • UAC has a OB/GYN appointment for basic prenatal care with Dr. Torres this afternoon at 2:30p.m. (CST), please note that OB Dr. Torres is not aware UAC has requested to terminate pregnancy, Dr. Torres is not aware of current litigation regarding the case of this minor, is care provider to discuss these matters directly with Dr. Torres??? Should the child be informed that care provider will discuss her request to terminate and current litigation with OB?
- • If UAC attends this prenatal care appointment, is the doctor to proceed with sonogram ???
- • Is child allowed to contact parents?? Her parents are named in the suit as "inflicting abuse on minor" is UAC able to make contact despite this claim" If UAC requests to make contact with mother/father is care provider to allow contact, if allowed is all contact to be monitored or may the UAC make contact with out monitoring?

Please advise, thank you so much in advance for your guidance!

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**From:** Lloyd, Scott (ACF) <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)>

**Sent:** Monday, October 9, 2017 10:02 AM

**To:** Brooks, Teresa (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** RE: State Court hearing

Teresa,

Many thanks for your work on this, and thank you for the update. I was very much reassured to know that you would be present this morning.

Barring any additional need to wrap things up with IES, please return to the rest of your day off. Let us know if you need anything—I am sure things will continue throughout the week.

Sincerely,  
Scott

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**From:** Brooks, Teresa (ACF)

**Sent:** Monday, October 09, 2017 10:57 AM

**To:** Lloyd, Scott (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** Re: State Court hearing

Please be advised that at approximately 8:35 am CT, the Cameron County Judge, attorneys from Garza and Garza, who are/were representing the UAC at the State



level, the UAC, and Mr. Paxton Warner, AUSA from the DOJ met in the Judge's chambers in a closed proceeding. Mr. Lucio, attorney for the IES staff, was also in chambers, as an observer to the proceeding as he has clients who have been affected by the legal process of the matter. DHS ICE ERO Officer, (b)(6) was present at the Courthouse, outside of the courtroom and chambers. I was asked to wait immediately outside of the Judge's chambers.

During the discussion in chambers, Mr. Warner left chambers to inquire as to if the UAC had been "forced" to speak to her parents. I advised that the UAC had been afforded the right to speak to either or both of her parents since arriving into ORR custody, but to my awareness had not chosen to do so to date. It should be noted that the IES program did obtain a contact number for the UAC's father as the UAC had stated that she wished to speak to him at one time. Mr. Warner also asked if the IES program could provide the UAC could be provided with a new case manager as the UAC has stated that the current case manager was not effectively managing the UAC's case. (This is presumed to be referring to a possible family reunification case. At this time, it is my understanding that no viable sponsor has been identified for the UAC.) I informed Mr. Warner that IES would identify an appropriate case manager to assume oversight of the UAC's case. Finally, Mr. Warner stated that the attorneys for the UAC were concerned that an IES staff member was always within a visual "line of sight" of the UAC and the attorneys felt that this was not allowing the client sufficient privacy. I explained to Mr. Warner, that in accordance to TDFPS licensing standards, the attorneys are not considered trained child care providers, and in order to maintain standards of care, the staff needed to maintain sight of the UAC, but were not in able to hear/overhear any confidential attorney-client communication.

Mr. Warner took the information back to chambers. When Mr. Warner returned he advised that the UAC should be returned to her placement at the IES shelter program in Los Fresnos, TX. Mr. Warner stated that the case, in its entirety, had been moved to a Federal court venue. Mr. Warner advised that the attorneys from Garza and Garza would continue to represent the UAC in the case.

Mr. Lucio conferred with the IES staff, whom he was representing today. Mr. Warner thanked the IES staff for their efforts in caring for this UAC and all of the UAC that IES cares for.

All parties were advised that they/we were free to leave the courthouse. I thanked the DHS ICE ERO Officer for her support, and instructed IES to transport the UAC back to the program site. All parties exited the courthouse at approximately 9:45 am CT.

Please advise as to if there are any questions or if additional information is needed regarding this message.

Teresa

Teresa Brooks  
Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCO  
202.631.3775  
Teresa.Brooks@acf.hhs.gov

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On: 08 October 2017 18:58, "Brooks, Teresa (ACF)"

<Teresa.Brooks@ACF.hhs.gov> wrote:

Please see the attached with regard to the request to DHS ICE ERO for the presence of a DHS ICE ERO Officer at the 107<sup>th</sup> District Court in Cameron County Texas on Monday, October 9, 2017.

Please advise as to if there are any questions concerning the DHS ICE ERO request or response.

Please be advised that, to remain in compliance with Texas Department of Family Protective Services Residential Child Care Licensing Standards, appropriate IES staff will be transporting the UAC from the IES Shelter Program to the Courthouse building. Additional IES staff who are required to be present at the District Court will arrive to the Courthouse apart from the UAC. I will be meeting with all of the IES staff and with the DHS ICE ERO Officer, either immediately outside of the Court building, or in the lobby of the building. We will then proceed to the identified area of the Courthouse.

Please advise of any additional instruction as is felt appropriate.

Sincerely,

Teresa

Teresa Brooks  
Federal Field Specialist Supervisor, South Texas  
HHS ACF ORR DUCO  
202.631.3775  
Teresa.Brooks@acf.hhs.gov

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**From:** Brooks, Teresa (ACF)

**Sent:** Sunday, October 08, 2017 5:20 PM

**To:** Lloyd, Scott (ACF); White, Jonathan (ACF); Jessica Martinez

**Cc:** Wagner, Steven (ACF); Wynne, Maggie (HHS/IOS); Bowman, Matthew (HHS/OGC); Haas, Alex (CIV)

**Subject:** Re: State Court hearing

I can be at the Courthouse at 8:30 am CT as requested.

I can attempt to reach Office (b)(6) who is the covering Officer for the FOJC now to see if there is an ICE Officer who is able to be present at the Court tomorrow morning.

I will update all appropriate parties of outcome of the contact with ICE.

Teresa

Teresa Brooks  
Supervisory ORR Federal Field Specialist  
HHS ACF ORR DUCCO  
202.631.3775  
Teresa.Brooks@acf.hhs.gov

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On: 08 October 2017 16:46, "Lloyd, Scott (ACF)" <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)> wrote:

Hello everyone,

Please see below. There should be no hearing tomorrow. However, there is need to have the UAC brought to the courthouse at the time appointed, to avoid contempt while we confirm that the state court knows the case has been removed. Teresa I'd like you there if at all possible, or field staff in the alternative. I will ask that DOJ contact us if they receive confirmation and this becomes unnecessary.

Teresa, are you in contact with anyone from DHS (ICE seems most appropriate) who could ride along? If you need help I can help get someone.

If she goes to the courthouse the point would be to inform them that the case has been removed. There should be no transfer of custody and federal law enforcement could help us reinforce that point.

Please let me know if you have any questions.

Thank you,  
Scott

Begin Forwarded Message:

**From:** "Haas, Alex (CIV)" <[Alex.Haas@usdoj.gov](mailto:Alex.Haas@usdoj.gov)>

**Subject:** State Court hearing

**Date:** 08 October 2017 17:25

**To:** "Bowman, Matthew (HHS/OGC)" <[Matthew.Bowman@hhs.gov](mailto:Matthew.Bowman@hhs.gov)>, "Lloyd, Scott (ACF)" <[Scott.Lloyd@acf.hhs.gov](mailto:Scott.Lloyd@acf.hhs.gov)>



**Cc:** "Ricketts, Jennifer D (CIV)" <Jennifer.D.Ricketts@usdoj.gov>, "Hu, Daniel (USATXS)" <Daniel.Hu@usdoj.gov>, "Warner, Paxton (USATXS)" <Paxton.Warner@usdoj.gov>, "Fabian, Sarah B (CIV)" <Sarah.B.Fabian@usdoj.gov>

Matt/Scott,

Our colleagues from the USAO just filed the removal papers in federal court and also filed a notice electronically in state court. While this should be enough to deprive the state court of jurisdiction, we are also sending a AUSA to hand a copy to the judge as well.

Because the state court order is directed to individuals working at IES who could still be held in contempt (potentially), our strong recommendation would be for the minor to be sent with the federal field specialist to the court proceeding. With that federal officer there and the AUSA we think there is a very small likelihood of any shenanigans. You could also potentially ask someone from ICE or CBP to attend to the transport.

Please let me know if you'd like to discuss

Alex

Sent from my Verizon, Samsung Galaxy smartphone

<b>Sender:</b>	(b)(6)@iestex.org>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Brooks, Teresa (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a2883a19e184fffb906bb06591b568a-Brooks, Ter>"; "Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Wagner, Steven (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3cec05da51ab4c7c978051f08d947637-Wagner, Jam>"
<b>Sent Date:</b>	2017/10/09 13:53:19
<b>Delivered Date:</b>	2017/10/09 13:53:44

<b>From:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>To:</b>	"Lloyd, Matt (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d98e24ca4414d5296cca9a57a38cbc9-Lloyd, Matt>"; "Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>"; "Bult, Nathan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd8b7cc916fc48fbb6c50234a1d6a3f4-Bult, Nath>"; "Oakley, Caitlin B. (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5ee4c35534c4af9bdac46789c034790-Oakley, Cai>"
<b>CC:</b>	"Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>Subject:</b>	Amicus brief in Texas minor case
<b>Date:</b>	2017/10/10 11:32:03
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Attached please see an amicus brief that was just filed in our favor by seven states, in one of the cases involving the Texas minor seeking an elective abortion while in ORR custody. The states on the brief are Texas, Louisiana, Missouri, Nebraska, Ohio, Oklahoma, and South Carolina

The Texas Attorney General's office also sent this press release:

<https://texasattorneygeneral.gov/news/releases/ag-paxton-texas-must-not-become-a-sanctuary-state-for-abortions>

AG Paxton: Texas Must Not Become a Sanctuary State for Abortions  
*Tuesday, October 10, 2017 – Austin*

Attorney General Ken Paxton today filed a friend-of-the-court brief with a U.S. District Court in San Francisco in defense of the federal government's right to deny access to abortion services to an unlawfully-present minor alien in Texas. Immigration officials detained the unlawfully-present alien ("Doe"), who entered the U.S. without her parents, in a shelter funded by the U.S. Department of Health and Human Services in Brownsville.

"No federal court has ever declared that unlawfully-present aliens with no substantial ties to this country have a constitutional right to abortion on demand," Attorney General Paxton said. "If 'Doe' prevails in this case, the ruling will create a right to abortion for anyone on earth who enters the U.S. illegally. And with that right, countless others undoubtedly would follow. Texas must not become a sanctuary state for abortions."

Attorney General Paxton told the court that “Texas has a legitimate and substantial interest in preserving and promoting fetal life, as well as an interest in promoting respect for human life at all stages in a pregnancy.”

“Doe” first filed a lawsuit in Texas state court, seeking to compel Health and Human Services to take her to get an abortion. Now the American Civil Liberties Union (ACLU) is asking a federal court in San Francisco to allow it to add “Doe” to a pending lawsuit against Health and Human Services and the U.S. Conference of Catholic Bishops over a completely unrelated dispute.

Joining Texas on the amicus brief are the states of Louisiana, Missouri, Nebraska, Ohio, Oklahoma, and South Carolina.

View the amicus brief here: <http://bit.ly/2ye2ItY>

<b>Sender:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>Recipient:</b>	"Lloyd, Matt (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d98e24ca4414d5296cca9a57a38cbc9-Lloyd, Matt>"; "Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>"; "Bult, Nathan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd8b7cc916fc48fbb6c50234a1d6a3f4-Bult, Nath>"; "Oakley, Caitlin B. (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5ee4c35534c4af9bdac46789c034790-Oakley, Cai>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>Sent Date:</b>	2017/10/10 11:32:03



<b>From:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"
<b>CC:</b>	"Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8dde8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"
<b>Subject:</b>	FW: (b)(5) Research & Resources
<b>Date:</b>	2017/10/10 14:14:31
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott,

I haven't read this yet, but here's the OGC opinion on (b)(5)

AnnaMarie

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**From:** DeSarbo, Lynne (OGC/CFAD)  
**Sent:** Tuesday, October 10, 2017 1:52 PM  
**To:** Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF)  
**Cc:** Haron, Judith (HHS/OGC); Mestre, Lisette (HHS/OGC); DeSarbo, Lynne (OGC/CFAD)  
**Subject:** (b)(5) Research & Resources

Hello AnnaMarie,

I hope that you had a wonderful vacation in Italy! (b)(5)

(b)(5)

(b)(5)

Please do not hesitate to contact me should you have questions about the attached.

Best,  
Lynne

**Lynne DeSarbo**  
**Attorney**  
**Children, Families & Aging Division**  
**Office of General Counsel**  
**U.S. Department of Health and Human Services**  
**(202) 690-5754**  
[Lynne.DeSarbo@hhs.gov](mailto:Lynne.DeSarbo@hhs.gov)

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<b>Sender:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"
<b>Sent Date:</b>	2017/10/10 14:14:13
<b>Delivered Date:</b>	2017/10/10 14:14:31

<b>From:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"
<b>Subject:</b>	NIH
<b>Date:</b>	2017/10/10 17:11:53
<b>Priority:</b>	Normal
<b>Type:</b>	Note

<https://www.niddk.nih.gov/health-information/weight-management/health-tips-pregnant-women>

## Physical Activity

### Should I be physically active during my pregnancy?

Almost all women can and should be physically active during pregnancy. Regular physical activity may

- help you and your baby gain the right amounts of weight
- reduce backaches, leg cramps, and bloating
- reduce your risk for gestational diabetes (diabetes that develops when a woman is pregnant)

If you were physically active before you became pregnant, you may not need to change your exercise habits. Talk with your health care provider about how to change your workouts during pregnancy.

It can be hard to be physically active if you do not have child care for your other children, have not worked out before, or do not know what to do. Keep reading for tips about how you can work around these things and be physically active.

### How much physical activity do I need?



Most women need the same amount of physical activity as before they became pregnant. Aim for at least 30 minutes of aerobic activity per day on most days of the week. Aerobic activities use large muscle groups (back, chest, and legs) to increase heart rate and breathing.

The aerobic activity should last at least 10 minutes at a time and should be of moderate intensity. This means it makes you breathe harder but does not overwork or overheat you.

If you have health issues like obesity, high blood pressure, diabetes, or anemia (too few healthy red blood cells), ask your health care provider about a level of activity that is safe for you.

### **How can I stay active while pregnant?**

Even if you have not been active before, you can be active during your pregnancy by using the tips below:

- • Go for a walk around the block, in a local park, or in a shopping mall with a family member or friend. If you already have children, take them with you and make it a family outing.
- • Get up and move around at least once an hour if you sit in a chair most of the day. When watching TV, get up and move around during commercials. Even a simple activity like walking in place can help.

### **How can I stay safe while being active?**

For your health and safety, and for your baby's, you should not do some physical activities while pregnant. Some of these are listed below. Talk to your health care provider about other physical activities that you should not do.

Make a plan to be active while pregnant. List the activities you would like to do, such as walking or taking a prenatal yoga class. Think of the days and times you could do each activity on your list, like first thing in the morning, during lunch break from work, after

dinner, or on Saturday afternoon. Look at your calendar or planner to find the days and times that work best, and commit to those plans.

Safety Dos and Dont's	
Follow these safety tips while being active.	
Do...	Don't...
Choose moderate activities that are not likely to injure you, such as walking or aqua aerobics.	Avoid brisk exercise outside during very hot weather.
Drink fluids before, during, and after being physically active.	Don't use steam rooms, hot tubs, and saunas.
Wear comfortable clothing that fits well and supports and protects your breasts.	After the end of week 12 of your pregnancy, avoid exercises that call for you to lie flat on your back.
stop exercising if you feel dizzy, short of breath, tired, or sick to your stomach.	
ACTIVITY	WHEN
_____	_____
_____	_____

_____	_____
-------	-------

<b>Sender:</b>	Bowman, Matthew (HHS/OGC) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4CAEB9900D27435DAF018DF146C4F075-BOWMAN, MAT>
<b>Recipient:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"
<b>Sent Date:</b>	2017/10/10 17:11:52
<b>Delivered Date:</b>	2017/10/10 17:11:53



<b>From:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Moreno, Mr. Pedro (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd28ce9a1d8453591e74b700a6ce1e8-Moreno, Ped>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"; "Swartz, Tricia (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a19e26301694fc68044e8d708390764-Swartz, Tri>"; "Sualog, Jallyn (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9dc0dbee78b5491faa5c79e1c569e43e-Sualog, Jal>"
<b>CC:</b>	"Biswas, Toby R M (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65cead6d4c1a4ff79834677334fd7980-Biswas, Tob>"; "White, Laura (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e7ff3f1d0ba483990c0f80827410056-Gregg, Laur>"
<b>Subject:</b>	FW: draft mem in opp re plaintiff's motion to amend
<b>Date:</b>	2017/10/11 09:51:16
<b>Priority:</b>	Normal
<b>Type:</b>	Note

I'm still making my way through email, and assume you all have seen this, but forwarding just in case.

---

**From:** Haron, Judith (HHS/OGC)  
**Sent:** Tuesday, October 10, 2017 11:29 AM  
**To:** Bena, Anna Marie (HHS/OGC) (ACF); Biswas, Toby R M (ACF); Suh, Victor (HHS/OGC) (ACF) (CTR)  
**Cc:** Keith, Robert (HHS/OGC)  
**Subject:** Fwd: draft mem in opp re plaintiff's motion to amend

FYI

Begin Forwarded Message:

**From:** "Tomlinson, Martin M. (CIV)" <Martin.M.Tomlinson@usdoj.gov>  
**Subject:** RE: draft mem in opp re plaintiff's motion to amend  
**Date:** 10 October 2017 10:02  
**To:** "Bowman, Matthew (HHS/OGC)" <Matthew.Bowman@hhs.gov>, "Phipps, Peter (CIV)" <Peter.Phipps@usdoj.gov>, "Haron, Judith (HHS/OGC)" <Judith.Haron@HHS.GOV>, "Woolford, Llewellyn (HHS/OGC)" <Llewellyn.Woolford@HHS.GOV>  
**Cc:** "Haas, Alex (CIV)" <Alex.Haas@usdoj.gov>, "Ricketts, Jennifer D (CIV)" <Jennifer.D.Ricketts@usdoj.gov>, "McElvain, Joel L (CIV)" <Joel.L.McElvain@usdoj.gov>

Matthew,

Please see attached for the States' amicus materials as well as the Plaintiff's reply brief, which was just filed with the Court.

**Martin M. Tomlinson**

Trial Attorney| U.S. Department of Justice  
Civil Division| Federal Programs Branch  
20 Massachusetts Ave., NW, Room 6134  
Phone: (202) 353-4556  
Fax: (202) 616-8470

For overnight/courier deliveries:  
Martin M. Tomlinson  
Department of Justice  
Federal Programs Branch, Room 6134  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

<b>Sender:</b>	Bena, Anna Marie (HHS/OGC) (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER73B01E01>
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<b>Sent Date:</b>	2017/10/11 09:51:13
<b>Delivered Date:</b>	2017/10/11 09:51:16

<b>From:</b>	Holt, Lydia (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=679190009C0F4AD2B219F787DCCA6A98-HOLT, LYDIA>
<b>To:</b>	"Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Tota, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c0919fe56454c2b8e7c59c38646ebec-Tota, Kenne>"; "White, Jonathan (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e9b5fe526f1d4ba0a6cc8ddee8ec4d87-Jonathan Wh>"
<b>Subject:</b>	FOR YOUR AWARENESS: Reveal, Center for Investigative Reporting: Court filing: Trump appointee blocks pregnant teen migrant from getting abortion
<b>Date:</b>	2017/10/11 11:43:26
<b>Importance:</b>	High
<b>Priority:</b>	Urgent
<b>Type:</b>	Note

### **Court filing: Trump appointee blocks pregnant teen migrant from getting abortion**

*Reveal, Center for Investigative Reporting*

*Oct. 10, 2017*

A Trump appointee has prevented a 17-year-old migrant at a federally funded shelter in Texas from getting an abortion and directed she be sent instead to religious counseling, according to a motion filed in federal court last week.

Lawyers with the ACLU of Northern California will argue on her behalf at an emergency court hearing in San Francisco Wednesday. In court filings over the last few days, they've argued that changes at the Office of Refugee Resettlement under President Donald Trump's administration are to blame and that the girl, referred to as Jane Doe, is not an isolated case.

According to emails filed with the court, new ORR Director Scott Lloyd has met with a minor in federal custody to discuss her pregnancy and directed his staff to counsel girls about the risks of abortion – an early sign of how Lloyd's priorities will reflect his past work in pro-life advocacy.

In a declaration filed with the court, [Doe explained](#) that she decided to get an abortion and made appointments at a clinic, but was never allowed to go. Instead, she said, officials sent her to a crisis pregnancy center where she was given a sonogram and "forced to look" at the image.

"Defendants have been talking to me about my pregnancy," she said. "I feel like they are trying to coerce me to carry my pregnancy to term."

Doe [told the court](#) she is afraid to tell her family about her plans to get an abortion, and had hoped to keep her pregnancy secret. But she said ORR officials already told her mother she was pregnant.



According to the ACLU, Doe's case exemplifies a new order of business at ORR under the Trump administration.

On March 4, the office's acting director, Kenneth Tota, sent a memo to the private groups that operate shelters under contracts with ORR, telling them they "are prohibited from taking any action that facilitates an abortion without direction and approval from the Director of ORR." Tota referred to rules the office previously issued in March 2008.

Tota's memo was apparently prompted by news the day before that a minor at an ORR-contracted shelter had begun a medically induced abortion the day before. In his letter, Tota directed ORR officials to take that child to an emergency room and try to preserve her pregnancy, over the child's own wishes.

On March 10, according to a heavily redacted email filed with the court, ORR required, "effective immediately," that shelter operators send word whenever any girl expresses an interest in ending her pregnancy.

On March 14, according to another email filed with the court, new ORR Director Scott Lloyd offered some advice to his staff after visiting a girl in ORR custody. "Often these girls start to regret abortion," he wrote, "and if this comes up, we need to connect her with resources for psychological and/or religious counseling."

In another email, Lloyd told shelters to only steer minors to "pregnancy services and life-affirming options counseling," not abortion providers. Lloyd reminded his staff to that "the unborn child is a child in our care," and to make medical decisions accordingly.

On April 1, Lloyd directed Jonathan White, an ORR deputy director, to make sure that a minor in custody in Arizona get an ultrasound and counseling at Choices Pregnancy Centers, a Christian organization that, like Lloyd, suggests abortion regret is far more likely than research suggests.

Such crisis pregnancy centers are engineered to persuade women to carry their pregnancies to term, often using myths, religious messages and bad science. Crisis pregnancy centers are well-represented on a list of ORR's approved counseling centers also filed with the court.

It's no coincidence that these directions were some of Lloyd's first actions after he was appointed to the office by Trump in mid-March. Before joining the office, Lloyd was an attorney for the Knight of Columbus, a Catholic charity, and served on the board of the pro-life Front Royal Pregnancy Center. In 2011, writing for the Center for Morality in Public Life, Lloyd argued that "the defining event in an abortion, as we use the term in our common parlance and in medical settings, is the death of a human being who has not yet been born."

As a Health and Human Services official under President George W. Bush, Lloyd championed a rule protecting health care providers that oppose abortion on religious

grounds, according to This Week in Immigration. President Barack Obama undid that rule in the first year of his presidency.

But the Trump administration has ushered in new limits on health care in the religious liberty protections, including last week's decision to stop requiring employers to cover contraception in their health insurance plans. (Lloyd, writing in 2009, once argued that federal support for contraception would be a boon to abortion providers.)

Ahead of Wednesday's hearing, seven attorney generals have lined up behind the Trump administration, led by Texas' Ken Paxton, saying that "Texas must not become a sanctuary state for abortions." Their brief argues that siding with Doe would suggest that "unlawfully-present aliens with no substantial ties to this country have a constitutional right to abortion on demand."

Any minor seeking an abortion in Texas faces a number of roadblocks, even if they aren't living in a federal shelter. Without a parent's permission, a minor in Texas must get a judge's permission to get an abortion, then make two separate appointments at a clinic at least 24 hours apart, the first of them for a mandatory sonogram. Doe had already navigated those steps, and made appointments in the last week of September before federal officials intervened.

Texas also bans abortions after 20 weeks, creating a tight deadline in the court case.

ACLU attorneys hope federal District Judge Laurel Beeler will order ORR to let Doe leave the shelter and end her pregnancy, and to extend that protection to other pregnant unaccompanied minors in ORR custody. Many children who arrive unaccompanied are fleeing abuse at home, and also face a high risk of sexual assault during their journey north.

Under a settlement in another court case, known as the Flores agreement, the federal government has to provide unaccompanied minors with medical care, including family planning.

**Lydia A. Holt**

*Public Affairs Specialist*

**Office of Refugee Resettlement**

**Administration for Children and Families (ACF)**

U.S. Department of Health and Human Services

330 C Street SW

Washington, D.C. 20201

[Lydia.Holt@acf.hhs.gov](mailto:Lydia.Holt@acf.hhs.gov)

202.401.9217 (W)

202.868.9893 (C)

**Teleworking on Mondays**

<b>Sender:</b>	Holt, Lydia (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=679190009C0F4AD2B219F787DCCA6A98-HOLT, LYDIA>
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<b>Sent Date:</b>	2017/10/11 11:43:26



<b>From:</b>	White, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR>
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<b>Subject:</b>	FW: Family Planning Services Policy Pregnancy draft.docx
<b>Date:</b>	2017/10/11 12:27:38
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Scott-

Please see attached policy with comments—I have also provided you with a copy on your chair. We will discuss the comments more in depth at tomorrow’ meeting.

Thanks,  
Laura

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**From:** White, Jonathan (ACF)  
**Sent:** Friday, October 06, 2017 11:27 PM  
**To:** White, Laura (ACF)  
**Cc:** Biswas, Toby R M (ACF); Swartz, Tricia (ACF); Sualog, Jallyn (ACF); Bartholomew, Michael (ACF); Bena, Anna Marie (HHS/OGC) (ACF)  
**Subject:** RE: Family Planning Services Policy Pregnancy draft.docx

Laura,

As requested, Toby and I have provided comments/edits on the draft Family Planning Services Policy Pregnancy section by COB (sorry, my COB is pretty late).

Toby prepared his comments (which appear as TRMB) and forwarded to me. I concur with all his comments and have added more of my own.

Because the policy so deeply engages UAC Program staff, and describes actions DUCO and DHUC Federal staff must take, I sought input from the key program managers—Tricia, Jallyn, and Michael—as well. I have consolidated all our comments into a single document, so that while most of the “JDW” comments are mine, some are Tricia’s or Michael’s (those are marked as such on the comment bubble). Jallyn’s comments are some of the “WU” comments but I have noted which are hers as well.

(b)(5)

Jonathan

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**From:** White, Laura (ACF)  
**Sent:** Friday, October 06, 2017 10:50 AM  
**To:** Biswas, Toby R M (ACF); White, Jonathan (ACF)  
**Subject:** Family Planning Services Policy Pregnancy draft.docx

Jonathan and Toby,

Scott would like your comments/ edits to the new policy by COB today or Tuesday. Let me know what is more doable. I'd like one of you to review and then the next person so I don't have to combine two different documents with comments/ edits. It will be easier for clearance. Let me know if that is doable and who will edit/ comment first.

Thanks,  
Laura

<b>Sender:</b>	White, Laura (ACF) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2E7FF3F1D0BA483990C0F80827410056-GREGG, LAUR>
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<b>To:</b>	"ACF - All ACF Staff </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=36fef8f2006c44b092c998bc7e0c4b79-ACF - All A>"
<b>Subject:</b>	ACF Media Clips for Oct. 11, 2017
<b>Date:</b>	2017/10/11 13:47:11
<b>Priority:</b>	Normal
<b>Type:</b>	Note

## ACF Media Clips for Oct. 11, 2017

### **Child Care**

#### **Sen. Patty Murray wants to fix what experts call ‘enormous inequalities’ in child care**

Murray’s bill would add more affordable child-care options, support universal preschool programs and increase compensation for child-care workers. She introduced it this past month, with strong support from Democrats but none yet from Republicans.

*Seattle Times, WA*

*Oct. 10, 2017*

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### **Children, Youth & Families**

#### **Supreme Court refuses to hear Kentucky foster care case**

The U.S. Supreme Court has refused to hear a case involving a growing number of Kentucky relatives providing free foster care for children. The result is that Kentucky must begin paying those relatives the same as they do licensed foster families, news outlets report.

*Associated Press, KY*

*Oct. 11, 2017*

#### **The \$600-a-night foster care bed**

The payment of high per-night fees was first reported by InvestigateWest, Crosscut and KCTS9 last fall. Since then, InvestigateWest has learned that the top rate the state is willing to pay has nearly doubled over the last year from \$325 to \$600. And new payment records requested from the state, as well as confidential but incomplete data obtained by InvestigateWest, show that at least a handful of foster families are making a small fortune on the practice.

*Investigate West, WA*

*Oct. 11, 2017*

#### **70-plus children missing from Kansas’ foster care system**

Lawmakers are expressing outrage after learning more than 70 foster children are missing in Kansas. Foster care contractors provided the information during a meeting Tuesday in response to questions about the disappearance of three sisters from a northeast Kansas foster home, The Kansas City Star reports. Police believe the still-missing girls — ages 15, 14 and 12 — ran away in August.

*Associated Press, KS*



*Oct. 11, 2017*

**Lawmakers shocked to learn 70-plus children missing from Kansas' foster care system**

In a revelation that shocked lawmakers, the companies running the state's foster care system said Tuesday that more than 70 foster children are missing in Kansas. Lawmakers also were furious that Phyllis Gilmore, secretary of the Kansas Department for Children and Families, appeared unaware that three sisters have been missing from a northeast Kansas foster home since Aug. 26.

*Kansas City Star, KS*

*Oct. 10, 2017*

**Nowhere else to go: Why kids are sleeping in child welfare offices**

In the past few years, Arizona, Louisiana, Texas and Washington, D.C., have all used office space as an emergency option to park children when they have nowhere else to sleep. In most cases, the office stays are for a single night, and caseworkers supervise the children.

*Governing, DC*

*Oct. 10, 2017*

**Fla. school district picks abstinence-only center for sex education. Lesson 8: 'Steps of intimacy and how to stop them'**

A Florida school district has signed on with an abstinence-only center to provide sex education — or, rather, “relationship education” — to teens, replacing curriculum that had been informed by the Florida Department of Health.

*Analysis*

*Washington Post, DC*

*Oct. 10, 2017*

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**Head Start**

**Head Start report shows allegations of abuse to JCPS students** *(featuring ACF)*

Seven Jefferson County Public School Head Start employees are out a job and it could just be the beginning of a broader investigation as a report reveals the mistreatment of several children under the districts care. The facts so shocking the head of the Office of Head Start flew to Louisville to tell school leaders they are on notice. The report was written by the administration for Children and Families, which is a division of the US Department of Health and Human Services. The allegations are so severe Linehan threatened to pull the plug on the district's federally funded program.

*WHAS, KY*

*Oct. 10, 2017*

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**Early Head Start program expanding in Southwest Missouri** *(featuring ACF)*

Lamar Missouri Tuesday celebrated the opening of a new child care facility with an open house and Chamber of Commerce Ribbon Cutting ceremony. It's the result of Economic Security Corporation's Early Head Start program which has worked creating partnerships in over 6 Southwest Missouri communities to expand high-quality no cost child care opportunities.

*KOAM, MO*

*Oct. 10, 2017*

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## **Native Americans**

### **New lawsuit targets custody battles in tribal courts**

A lawsuit filed Tuesday targets the Minnesota Department of Human Services and Scott County, organizations the plaintiffs allege are violating federal law by sending child custody cases to Indian tribal court without the consent of both parents.

*KMSP, MN*

*Oct. 10, 2017*

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## **Refugee Resettlement**

### **Vermont refugee resettlement program plans for fewer refugees after US admissions cap**

Amila Merdzanovic, director of the Vermont Refugee Resettlement Program, says the effects of the reduction will be felt in Vermont and across the country. The agency had hoped to resettle 450 refugees in Vermont this coming year. Because of the Trump administration's effort to limit resettlement, they've had to scale their efforts back to 345. The State Department has approved plans to resettle 270 refugees in Colchester and 75 in Rutland. In Colchester, recent refugees have been from a number of countries, including Nepal, Bhutan, Somalia, the Congo and others. Rutland is expecting families from Syria and Iraq.

*Vermont Public Radio, VT*

*Oct. 10, 2017*

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## **Trafficking**

### **Iowa human-trafficking laws better, need work**

Efforts to legislate against human trafficking have increased in recent years, at both the state and federal levels, but there may still be a lot left to be done. According to the [2014 Polaris report](#), Iowa has done well by passing several laws to combat human trafficking, but it could do more to implement new laws and improve existing ones. Meanwhile, Iowa landed near the bottom of Polaris' list when it came to victim-assistance laws.

*Daily Iowan, IA*

*Oct. 11, 2017*

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## **Unaccompanied Alien Children**

### **The Trump administration is preventing undocumented immigrant minors from getting abortions (featuring ACF)**

Thousands of unaccompanied, undocumented immigrant minors are currently in the custody of the United States federal government, which is legally obligated to provide them with health care. In March of 2017, the Office of Refugee Resettlement announced that federally funded shelters are barred from taking "any action that facilitates" abortion for these unaccompanied minors without "direction and approval" from ORR Director Scott Lloyd. And according to the ACLU, Lloyd, a Trump nominee, is now prohibiting minors from accessing abortion care—and instead sending them to "crisis pregnancy centers" that urge them not to terminate their



pregnancies. According to the ACLU, Lloyd, the current ORR director, has personally called pregnant minors in an attempt to talk them out of terminate their pregnancies.

*Slate Magazine, NY*

*Oct. 11, 2017*

**Teen detained in Texas after crossing border fights to have abortion** *(featuring ACF)*

Advocates for a pregnant 17-year-old girl held in a Texas facility for immigrant children who have crossed the border alone are asking a federal judge to allow her to get an abortion, over the opposition of U.S. and state officials. A federal magistrate judge in San Francisco has scheduled a hearing Wednesday on a request filed by the American Civil Liberties Union of Northern California, which accuses the U.S. Department of Health and Human Services of refusing to let the girl be taken for the procedure. Staff at the facility where she's being held refused to take her to her appointments with a doctor to seek an abortion, or let the attorney take her, even though private groups that support abortion rights have raised money for the procedure. Instead, she was taken to a crisis pregnancy center.

*Associated Press, TX*

*Oct. 10, 2017*

**Court filing: Trump appointee blocks pregnant teen migrant from getting abortion**

*(featuring ACF)*

A Trump appointee has prevented a 17-year-old migrant at a federally funded shelter in Texas from getting an abortion and directed she be sent instead to religious counseling, according to a motion filed in federal court last week. In court filings over the last few days, they've argued that changes at the Office of Refugee Resettlement are to blame and that the girl, referred to as Jane Doe, is not an isolated case. According to emails filed with the court, new ORR Director Scott Lloyd has met with a minor in federal custody to discuss her pregnancy and directed his staff to counsel girls about the risks of abortion – an early sign of how Lloyd's priorities will reflect his past work in pro-life advocacy.

*Reveal/The Center for Investigative Reporting, CA*

*Oct. 10, 2017*

**Undocumented teenager seeks court authorization to access abortion services** *(featuring ACF)*

A pregnant, 17-year-old, undocumented immigrant is at the center of a legal dispute over whether unaccompanied immigrant minors have the right to an abortion in the United States. Jane Doe, as she's referred to in court filings, is currently at a shelter in Brownsville, in the custody of the Office of Refugee Resettlement (ORR), a federal agency responsible for refugees and unaccompanied undocumented minors. Doe is seeking an emergency court order authorizing her to access abortion services after the federal office blocked her from attending a pre-abortion medical appointment.

*Texas Tribune, TX*

*Oct. 10, 2017*

**Pregnant immigrant in Texas will test abortion access** *(featuring ACF)*

Officials with the ACLU and Janes Due Process, a nonprofit that helps teenagers gain access to abortion, argue that Jane Doe's experience is part of a larger pattern by the Office of Refugee



Resettlement, which under President Donald Trump has refused to allow unaccompanied minors to receive abortions, referring them instead to crisis pregnancy centers which counsel women against abortions, often from a religious perspective. "Trump administration officials are literally holding her hostage," ACLU lawyer Brigitte Amiri said. "The interference by government officials about the most intimate and personal decision a woman can make is horrific. It's also blatantly unconstitutional."

*Austin American-Statesman, TX*

*Oct. 10, 2017*

**Trump administration blocks legal abortion for undocumented Texas minor in federal care**  
(featuring ACF)

A 17-year-old undocumented minor living in federal custody in Texas is being denied her right to an abortion by the federal government. American Civil Liberties Union lawyers, who call the move "shocking" and "straight from dystopian fiction" are requesting an emergency hearing Wednesday in a California federal court to grant her abortion access before she's too far along in her pregnancy. The girl, dubbed "Jane Doe" in court documents, is currently living in a Brownsville facility for undocumented and unaccompanied minors run by the feds where, by law, she is required access to "family planning services, including pregnancy tests and ... access to medical reproductive health services and emergency contraception."

*San Antonio Current, TX*

*Oct. 10, 2017*

**Texas must not be a 'sanctuary state for abortions,' AG Ken Paxton says in court brief**  
(featuring ACF)

The federal government should not give unauthorized immigrant minors the right to have abortions, Texas Attorney General Ken Paxton said Tuesday. The American Civil Liberties Union wants to add "Jane Doe," a 17-year-old unauthorized immigrant who sued in Texas to have an abortion, to an existing federal case against the U.S. Department of Health and Human Services. Paxton filed a brief in the case in response, arguing that unauthorized minors do not have the right to have abortions. The ACLU argues that restricting reproductive and abortion care is unconstitutional, but Paxton said the case could establish Texas as a "sanctuary state for abortions."

*Dallas Morning News, TX*

*Oct. 10, 2017*

**Teenage illegal immigrant crosses border to get abortion. Now it's up to a judge if she can.**  
(featuring ACF)

A judge is deciding Wednesday whether the state of Texas must help a teenage illegal immigrant get an abortion — a case that could have serious ramifications. Even though the 17-year-old illegal immigrant received a judicial waiver allowing her — a minor — to get an abortion, the officers detaining her refuse to take her to an abortion clinic American Civil Liberties Union (ACLU) lawyer, Rochelle Garza, told The Associated Press on Tuesday. "I feel like they are trying to coerce me to carry my pregnancy to term," the girl told a federal court earlier in October, explaining that she was taken to a crisis pregnancy center instead of an abortion clinic.

*Daily Caller, DC*

*Oct. 11, 2017*

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<b>Sent Date:</b>	2017/10/11 13:41:54
<b>Delivered Date:</b>	2017/10/11 13:47:11

<b>From:</b>	Wagner, Steven (ACF) </o=EXCHANGELABS/ou=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3CEC05DA51AB4C7C978051F08D947637-WAGNER, JAM>
<b>To:</b>	"Bowman, Matthew (HHS/OGC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4caeb9900d27435daf018df146c4f075-Bowman, Mat>"; "Wolfe, Kenneth (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1f392f88a57d44df8c85dd4a2c547ddb-Wolfe, Kenn>"; "Wynne, Maggie (HHS/IOS) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aab414d065764e13baf66a6f66b299ab-Wynne, Marg>"
<b>CC:</b>	"Marriott, Brian (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ae7a85e29e243969fd8c7803b2af592-Marriott, B>"; "Negri, Warren A. (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=93ed57dec5bf43d3af31ce3e4d67006a-Negri III,>"; "Lloyd, Scott (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f7f5ddb3dac432cbdd8acaf8038cfb5-Lloyd, Edwa>"; "Pilato, Anna (ACF) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=77e6b2c93f9a436b802687f05b2ae74f-Pilato, Ann>"; "Oakley, Caitlin B. (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5ee4c35534c4af9bdac46789c034790-Oakley, Cai>"; "Yuest, Charmaine (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=85e8821966a9482a825d7d4108319469-Yuest, Char>"; "Murphy, Ryan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=314e69c69a844b47bdd9f74bc60a8d44-Murphy, Rya>"; "Lloyd, Matt (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d98e24ca441d5296cca9a57a38cbc9-Lloyd, Matt>"; "Bult, Nathan (OS/ASPA) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd8b7cc916fc48fbb6c50234a1d6a3f4-Bult, Nath>"
<b>Subject:</b>	RE: UAC, abortion
<b>Date:</b>	2017/10/11 18:37:40
<b>Priority:</b>	Normal
<b>Type:</b>	Note

Thanks Matt and Charmaine

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**From:** Bowman, Matthew (HHS/OGC)  
**Sent:** Wednesday, October 11, 2017 6:34 PM  
**To:** Wolfe, Kenneth (ACF); Wynne, Maggie (HHS/IOS)  
**Cc:** Wagner, Steven (ACF); Marriott, Brian (ACF); Negri, Warren A. (ACF); Lloyd, Scott (ACF); Pilato, Anna (ACF); Oakley, Caitlin B. (OS/ASPA); Yuest, Charmaine (OS/ASPA); Murphy, Ryan (OS/ASPA); Lloyd, Matt (OS/ASPA); Bult, Nathan (OS/ASPA)  
**Subject:** RE: UAC, abortion

I received a revised version from ASPA, and OGC's redlines to that version are attached.

*Confidential pre-decisional deliberative process and attorney client privilege*

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